OFFICE OF THE INFORMATION AND PRIVACY COMMISSIONER

2003 - 2004
ANNUAL REPORT
ALBERTA

THE PURPOSES OF THE FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

The purposes of the Freedom of Information and Protection of Privacy Act according to Section 2 of the Act are:

a) to allow any person a right of access to the records in the custody or under the control of a public body, subject to limited and specific exceptions as set out in the Act,

b) to control the manner in which a public body may collect personal information from individuals, to control the use that a public body may make of that information and to control the disclosure by a public body of that information,

c) to allow individuals, subject to limited and specific exceptions as set out in the Act, a right of access to personal information about themselves that is held by a public body,

d) to allow individuals a right to request corrections to personal information about themselves that is held by a public body, and

e) to provide for independent reviews of decisions made by public bodies under this Act and the resolution of complaints under this Act.

THE PURPOSES OF THE HEALTH INFORMATION ACT

The purposes of the Health Information Act according to Section 2 of the Act are:

a) to establish strong and effective mechanisms to protect the privacy of individuals with respect to their health information and to protect the confidentiality of that information,

b) to enable health information to be shared and accessed, where appropriate, to provide health services and to manage the health system,

c) to prescribe rules for the collection, use and disclosure of health information, which are to be carried out in the most limited manner and with the highest degree of anonymity that is possible in the circumstances,

d) to provide individuals with a right of access to health information about themselves, subject to limited and specific exceptions as set out in this Act,

e) to provide individuals with a right to request correction or amendment of health information about themselves,

f) to establish strong and effective remedies for contraventions of this Act, and

g) to provide for independent reviews of decisions made by custodians under this Act and the resolution of complaints under this Act.

THE PURPOSES OF THE PERSONAL INFORMATION PROTECTION ACT

The purpose of the Personal Information Protection Act according to Part 1 of the Act is:

...to govern the collection, use and disclosure of personal information by organizations in a manner that recognizes both the right of an individual to have his or her personal information protected and the need of organizations to collect, use or disclose personal information for purposes that are reasonable.

Copies of this report are available from:

Office of the Information and Privacy Commissioner

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November 30, 2004

Honourable Ken Kowalski
Speaker of the Legislative Assembly
325 Legislature Building
10800 - 97 Avenue
Edmonton, Alberta
T5K 2B6

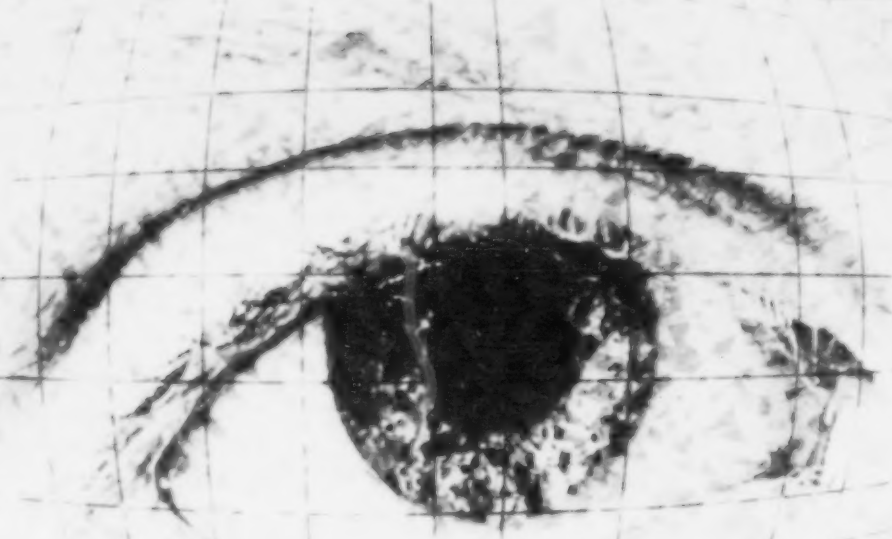
Dear Mr. Speaker:

I am pleased to submit to you the Annual Report of the Office of the Information and Privacy Commissioner, covering the period from April 1, 2003 to March 31, 2004.

This report is submitted under Section 63(1) of the *Freedom of Information and Protection of Privacy Act*, R.S.A. 2000, Chapter F-25, Section 95(1) of the *Health Information Act*, R.S.A. 2000, Chapter H-5, and Section 44(1) of the *Personal Information Protection Act*, S.A. 2003, Chapter P-6.5.

Yours truly,

Franklin J. Work, Q.C.
Information and Privacy Commissioner



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COMMISSIONER'S MESSAGE 2004

LESSONS FROM NORMANNENSTRASSE

I was in Berlin this summer. It is a wonderful city. But it is a city with a past. On the advice of my guidebook, I ventured into what used to be East Berlin looking for the former headquarters of the Ministry of State Security of the German Democratic Republic (the "Stasi").

It wasn't easy to find. The drab, 5 story building sits in a courtyard behind some other buildings on a quiet side street, Normannenstrasse. It is a museum now, maybe even a monument, to a totalitarian state's ambitions to control its citizens. Most of the exhibits are in German but the agency that runs the museum puts out an excellent little book on the history of the building, the Stasi and the former German Democratic Republic.

As I said, the Stasi's formal name was the "Ministry of State Security". According to the booklet, its mission was

> *... protecting and defending the political balance of power and the political and socio-economic foundation of the Worker-Farmer State from, above all, subversive elements from without and from enemies within so that our Socialist State and social order is kept from harm and danger, from negative influences and impairment.*

I am pretty sure that the Stasi did not see themselves as bad guys. They were on a mission to protect their society from threats to its security. Erich Mielke, the last Minister of State Security before "East Germany" ceased to exist in 1990, said this:

> *Who is not with us is against us. Who is against us is an enemy and enemies will be eliminated.*

To this end, the Stasi had 91,015 career personnel and 174,200 unofficial members performing surveillance of a total population of 16.4 million East Germans.

I've been thinking about the Stasi. When is a State justified in defending itself? To what lengths can a State go to protect its way of life? We in Canada, among other countries, presently feel that our society is being threatened by outside forces. We certainly believe that our way of life is worth defending. So what is the difference between us and the German Democratic Republic and the Stasi?

The main difference is that Canada is a democracy. In addition, we have a Charter of Rights that acknowledges and protects the rights of individuals and minorities to speak out, protest, dissent and be different. The Charter protects people from unreasonable search and seizure, cruel and unusual punishment. Furthermore, our governments are accountable to us: all Canadian provinces and territories and the Federal Government have access to information laws that make it the right of individuals to get access to records of public bodies so they can be held accountable. Alberta, the Federal Government, British Columbia and Quebec have, in addition to the privacy laws that apply to governmental institutions, privacy laws that apply to the private sector. Albertans should be proud of this. Finally, what is equally important is that most Canadians believe in these basic rights: they are a part of our political and social culture. These things make the difference.

But before we get too smug, we need to remember how easy it is to let the things that make the difference slip away. In response to the horrific events of September 11, 2001, our governments passed laws allowing for extraordinary powers to combat the threat posed against our society by terrorism. Duly elected governments can and should pass laws that protect society and they never do so without having a sense of the public support for the law. However, there is a real danger that these extraordinary

changes in our rights, implemented in response to an extraordinary threat, may become ordinary.

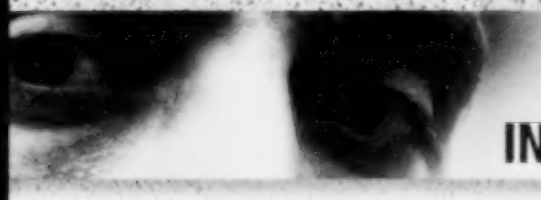
As that happens, the differences between "us and them" become just that much harder to see. David Loukidelis, the Information and Privacy Commissioner of British Columbia, in his report on the PATRIOT Act talked about the tendency to use these extraordinary national security powers for more ordinary purposes:

> *These changes expanded our government's ability to use and share that information, not only for national security purposes, but also for ordinary law enforcement and other purposes. ... The amendments do not restrict information sharing arrangements to national security uses – they could easily include ordinary law enforcement or other purposes defined on a case-by-case basis or in an agreement.*

So what are the lessons from Normannenstrasse?

- The right of access to information is precious. No government should ever oppose it or impede it on the basis that it is too expensive, too time consuming or only the "trouble-makers" use it.
- Accountable governments are better governments.
- The right to privacy is precious. There must be limits on what the State is allowed to know about us, even in the name of "security". Every State has its ideology (yes, even ours) and, if it has the means, a State will tend to "defend itself" against its perceived enemies from within or without.
- It is never, ever, a question of "what have you got to hide?" It is always a question of "why do you need to know?"
- Well intentioned people can do bad things.
- History may not judge us as we would judge ourselves.

2005 is the 10th Anniversary of the *Freedom of Information and Protection of Privacy Act* in Alberta. While we celebrate the access and privacy rights embodied in this law, we need to remember why these things are important to us as a society; they are the things that make the difference.



INTRODUCTION

BACKGROUND

The Alberta *Freedom of Information and Protection of Privacy* (FOIP) Act received Royal Assent on June 1, 1994, although most of the Act did not come into force until October 1, 1995. The *Health Information Act* (HIA) was passed by the Alberta Legislature in 1999 and came into force on April 25, 2001. The *Personal Information Protection Act* (PIPA) was passed by the Alberta Legislature in 2003 and came into force on January 1, 2004. Franklin J. Work, Q.C., was appointed as the province's second Information and Privacy Commissioner in 2002.

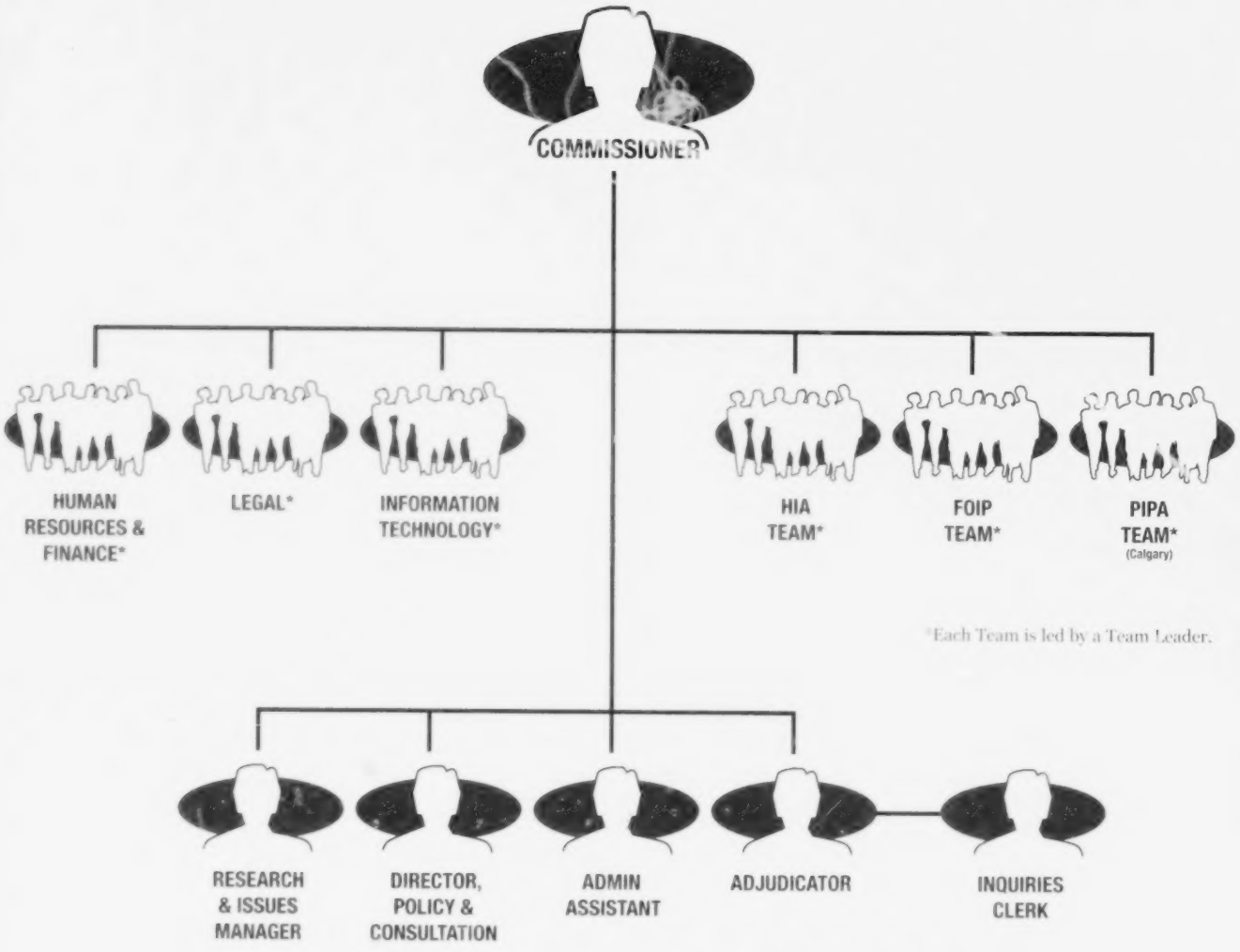
The Alberta Legislature passed the *Personal Information Protection Act* (PIPA) in 2003; as a result the OIPC opened a Calgary Office to better serve Albertans and private sector organizations. A Team Leader, two Portfolio Officers, Intake Officer and Legal Counsel were hired to implement education and compliance strategies for the new Act. The staffing strategy of OIPC is to hire individuals with adaptable skills and extensive experience in areas that are particularly relevant to access and privacy issues. In so doing, the organization has created a broad base of knowledge, which can be drawn upon in order to enforce the Acts and assist Albertans with any concerns they have in this area.

MANDATE

Under the Acts, the Commissioner is responsible for performing a broad range of functions. Section 53 of the FOIP Act, Section 84 of the HIA, and Section 53 of the PIPA sets out a number of these responsibilities:

- Informing Albertans about the FOIP Act, the HIA, and the PIPA.
- Reviewing the access to information decisions of public bodies under the FOIP Act.
- Reviewing the access to information decisions of custodians under the HIA.
- Reviewing the access to information decisions of organizations under the PIPA.
- Investigating how public bodies, custodians and organizations collect, use and disclose personal information to make sure that an individual's privacy is being protected.
- Conducting investigations of public bodies to ensure compliance with the FOIP Act.
- Conducting investigations of custodians to ensure compliance with the HIA.
- Conducting investigations of organizations to ensure compliance with the PIPA.
- Hearing comments from the public about how the Acts are being administered.
- Researching anything affecting the achievement of the FOIP Act, the HIA and the PIPA's purposes.
- Commenting on the privacy and information implications of proposed legislation and programs.
- Informing custodians and the heads of public bodies and organizations when applicants have not been adequately served under the Acts.
- Giving advice and recommendations about the Acts to heads of public bodies, custodians, and organizations.
- Authorizing the collection of personal information from sources other than the individual the information is about.

ORGANIZATIONAL STRUCTURE 03-04



*Each Team is led by a Team Leader.

EDUCATION & PUBLIC RELATIONS

Under Section 53 of the FOIP Act, Section 84 of the HIA, and Section 36 of the PIPA, one of the Commissioner's responsibilities is to inform the public about the Acts, as well as to receive comments from the public concerning the administration of the Acts. This is an important function to help Albertans understand their access and privacy rights under the Acts.

Many organizations or groups are looking for basic explanations and descriptions of the Acts and the function of the Office of the Information and Privacy Commissioner (OIPC). Other times, groups have specific questions or concerns with regard to the effect the Acts have, or will have, on information management relative to specific areas. The OIPC is open to helping Albertans interpret the Acts and to understand issues surrounding access to or privacy of information.

The following are some of the educational initiatives undertaken by the OIPC over the past year:

- Personal Information Protection Act (PIPA) Workshops, Calgary, Edmonton, Red Deer, Didsbury, Lethbridge, Cochrane, Fort McMurray, Medicine Hat, Rocky Mountain House, and Taber, AB
- Grant MacEwan College, Social Work Program, Hinton, AB
- Grant MacEwan College second year HR students, Edmonton, AB
- Grant MacEwan College for Mental Health program-Aboriginal Connections, Edmonton, AB
- Grant MacEwan College Journalism students, Edmonton, AB
- Privacy and Health Information, Law and Medicine Course, Faculty of Law, University of Calgary, Calgary, AB
- HIA presentation to SAIT Health Information Management professionals – Calgary, AB
- HIA presentation to Bow Valley College transcription students – Calgary, AB
- HIA presentation to the University of Calgary Medical Group (UCMG) physician group including clinic managers. – Calgary, AB
- Presentation to education students, Keyano College, Fort McMurray, AB
- Privacy Awareness Seminars, high school students, St. Francis Xavier, Edmonton, AB
- Privacy Awareness Seminars, high school students, Austen O'Brien, Edmonton, AB
- Commissioner's presentation to University of Alberta law students, Edmonton, AB

Some of the organizations the OIPC addressed over the past year:

- Canadian Association of Petroleum Producers, Calgary, AB
- Legal Education Society of Alberta, Edmonton, AB
- Iron Mountain Clients, Calgary, AB
- Central Alberta Network of Information Manager, Red Deer, AB
- Alberta Occupational Health Nurses, Red Deer, AB
- Canadian Bar Association Sub Section, Edmonton, AB
- Alberta Institute of Corporate Directors, Edmonton, AB
- Didsbury Chamber of Commerce, Didsbury, AB
- Calgary Chamber of Commerce, Calgary, AB
- Canadian Bar Association – Labour & Employment Section, Edmonton, AB
- Calgary Zoological Society, Calgary, AB
- Petroleum Services Association of Canada, Calgary, AB
- Association of Fund Raising Professionals, Calgary and Edmonton, AB
- Canadian Society of Association Executives, Calgary, AB
- Miller Thomson Clients, Calgary and Edmonton, AB
- Deloitte & Touche Briefing – clients, Calgary, AB
- Freedom of Information and Privacy Association, Vancouver, BC
- Information Systems Audit & Control: Institute of Internal Auditors, Calgary, AB
- SPY Presentation, Calgary, AB
- Canadian Bar Association – National Identification, Edmonton, AB
- Personal Administration Office, Government of Alberta, Edmonton, AB
- Calgary FOIP Section, Canadian Bar Association, Calgary, AB
- Research Ethics Review Boards and HIA Obligations, College of Physicians and Surgeons of Alberta, Calgary and Edmonton, AB
- Council of Chief Privacy Officers, Calgary, AB

- Calgary Health Region, Calgary, AB
- Alberta Institute of Corporate Directors, EPCOR,, Edmonton, AB
- Edmonton Catholic Schools, Edmonton, AB
- HIA presentation to Medicentre – Edmonton and Calgary, AB
- HIA research presentation to College of Physicians and Surgeons REB – Edmonton, AB
- PIA session for POSP vendors Calgary and Edmonton, AB
- HIA research presentation to Northern Alberta Clinical Trials – Edmonton, AB
- HIA research presentation to APPROACH – Cardiovascular research – Calgary, AB
- HIA presentation to Clinic Managers' Association of Alberta – Kananaskis, AB
- PIA session to POSP field representatives – Edmonton, AB
- Meeting with Mayor and officials, Regional Municipality of Wood Buffalo, Fort McMurray, AB
- PIPA presentation to the Electrical Workers Union, Edmonton, AB
- FOIP presentation to foster parents' group, Morinville, AB
- PIPA presentation to the Alberta Lung Association, Edmonton, AB

Some of the conferences and conventions the OIPC addressed over the past year:

- Occupational Health & Safety Amendment Act Conference, Edmonton, AB
- User Group Conference, Banff, AB
- International Conference of Data Protection and Privacy Commissioners, Sydney, Australia
- 10th Anniversary BC OIPC, Victoria, BC
- Alberta Fraud Symposium, Calgary, AB
- Canadian Institute Privacy Compliance Conference, Toronto, ON
- Hylton Privacy Workshop, Calgary, AB
- Canadian Institute, Calgary, AB
- McArthy Tetrault – webinar, Calgary, AB
- Calgary Enterprise Forum, Calgary, AB
- Access and Privacy Conference 2003, Edmonton, AB
- 13th Annual Health Law Seminar, Reynolds, Mirth, Richards & Farmer (RMRF), Edmonton, AB
- CHRA Annual Professional Development Conference, Toronto, ON
- Managing Privacy and Security of Health Information, The Canadian Institute, Toronto, ON
- Health Privacy Compliance and Security of Health Information, Insight Information Company, Calgary, AB
- Alberta Health Records Association Annual Conference, Edmonton, AB
- Lorman Education Services, FOIP in Alberta, Edmonton, AB
- Insight – Privacy Laws & Effective Workplace Investigations, Vancouver, BC
- Federated Press, Emerging Provincial Privacy Legislation & its impact on the Financial Services Sector, Toronto, ON
- Commissioner's Annual Conference, Quebec City, Quebec
- Security Laws & Privacy Conference, Toronto, ON
- Alberta Law Conference, Calgary, AB
- Canadian Gaming Summit, Edmonton, AB
- 2003 COGEL Conference – Austin, Texa
- HIA presentation to Jonoke Annual National Conference – Edmonton, AB
- HIA presentation to PSAC conference "New Rules in Privacy" (Petroleum Producers) – Calgary, AB
- HIA research presentation to the annual REB day – Calgary, AB

Some External Committees the OIPC staff are involved with:

- Alberta Cancer Board's Access & Privacy Committee
- North Regional Municipal FOIP Alliance
- South Regional Municipal FOIP Alliance
- Central Alberta Network of Information Managers (CANIM)
- Privacy and Security Standards Team, Regional Shared Health Information Project (RSHIP)
- Managing Information @ Work, joint committee
- Audit Process work Group, sponsored by Alberta Health and Wellness
- Physician Office System Program, sponsored by Alberta Health and Wellness
- Council of Research Ethic Board Chairs
- Alberta Health and Education Data Research Network (University of Calgary)
- Government of Alberta Chief Information Officers Council
- Government of Alberta Information Technology Advisory Committee
- Government of Alberta Information and Communications Technology Privacy Framework Advisory Committee
- Government of Alberta AGNPac/ SuperNet Users Group
- Government of Alberta Information and Communications Technology Service Coordinator Initiative
- Human Resource Director's Council

- Calgary Health Region, Calgary, AB
- Alberta Institute of Corporate Directors, EPCOR, Edmonton, AB
- Edmonton Catholic Schools, Edmonton, AB
- HIA presentation to Mayhew — Edmonton and Calgary, AB
- HIA research presentation to College of Pharmacy and Surgeons RUB — Edmonton, AB
- PIA session for PIAW's — Calgary and Edmonton, AB
- HIA research presentation to Northern Alberta Clinical Trials — Edmonton, AB
- HIA research presentation to APPRO (ACH — Cardiac health research — Calgary, AB
- HIA presentation to Office Managers Association of Alberta — Edmonton, AB
- PIA session for PIAW Technology seminars — Edmonton, AB
- Meeting with Metis and Alberta Regional Municipality of Wood Buffalo, Fort McMurray, AB
- PIP Awareness session for Chemical Workers Union, Edmonton, AB
- FOIP presentation to Investigators, Energy, Edmonton, AB
- PIP Awareness session for Alberta Energy, Vegreville, Edmonton, AB

Some of the conferences and conventions the OIPC addressed over the past year:

- Occupational Health & Safety Awareness Day Conference, Edmonton, AB
- Law Society Conference, Banff, AB
- International Conference of Data Protection and Privacy Commissioners, Sydney, Australia
- 10th Anniversary of OIPC, Victoria, BC
- Alberta Fraud Symposium, Calgary, AB
- Canadian Institute Privacy Compliance Conference, Toronto, ON
- Hyfour Privacy Workshop, Calgary, AB
- Canadian Institute, Calgary, AB
- McArthur Tetrault — seminar, Calgary, AB
- Calgary Enterprise Forum, Calgary, AB
- Access and Privacy Conference 2003, Edmonton, AB
- 6th Annual Health Law Seminar, Reynolds, Mirth, Richards & Farmer (RMRF), Edmonton, AB
- CHRA Annual Professional Development Conference, Toronto, ON
- Managing Privacy and Security of Health Information, The Canadian Institute, Toronto, ON
- Health Privacy Compliance and Security of Health Information, Insight Information Company, Calgary, AB
- Alberta Health Records Association Annual Conference, Edmonton, AB
- Continuing Education Services — FOIP in Alberta, Edmonton, AB
- Brownlee — PIPA — Year in Review — Webcast, Edmonton, AB
- Fulbright Data, Emerging Practical Privacy Issues — Safe Harbour and the Impact on the Financial Services Sector, Toronto, ON
- Communications Alberta Conference, Quebec City, Quebec
- Security, Law & Privacy Conference, Toronto, ON
- Alberta Law Conference, Calgary, AB
- Canadian Cancer Society, Edmonton, AB
- 2003 CORE Conference — Austin, Texas
- IIA Quebec — 23rd Annual National Conference, Edmonton, AB
- IIA presentation to PSAC conference "New Rules in Privacy" (Petroleum Producers) — Calgary, AB
- IIA research presentation to the annual REB day — Calgary, AB

Some External Committees the OIPC staff are involved with:

- Alberta Cancer Board's Access & Privacy Committee
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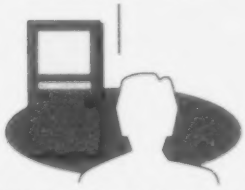
- Central Alberta Network of Information Managers (CANIM)
- Privacy and Security Standards Team, Regional Shared Health Information Project (RSHIP)
- Managers Information Work Team Committee
- Adult Privacy Work Group — sponsored by Alberta Health and Wellness
- Alberta Office Systems Professionals — sponsored by Alberta Health and Wellness
- Council of Research Ethic Board Chairs
- Alberta Health and Education Data Research Network — University of Calgary
- Government of Alberta Chief Information Officer's Council
- Government of Alberta Information Technology Advisory Committee
- Government of Alberta Information and Communications Technology Privacy Framework Advisory Committee
- Government of Alberta AGNPac SuperNet Working Group
- Government of Alberta Information and Communications Technology Security Coordination Initiative
- Human Resources Directors Council

THE PROCESS

REQUEST FOR REVIEW OR
PRIVACY COMPLAINT



OFFICE OF THE INFORMATION & PRIVACY COMMISSIONER**

OFFICER ASSIGNED TO CASE/CONFIRMS REQUEST
FOR REVIEW SENT TO PARTIES

INVESTIGATION & MEDIATION

MEDIATION SUCCESSFUL

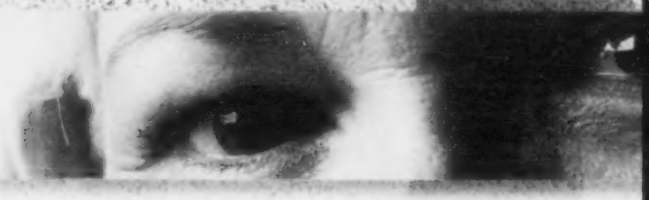
AGREEMENT BETWEEN
APPLICANT & PUBLIC BODY

MEDIATION NOT SUCCESSFUL

COMMISSIONER'S / ADJUDICATOR'S
INQUIRY

COMMISSIONER'S / ADJUDICATOR'S ORDER

** *The Commissioner/Adjudicator is not involved with the Request for Review until the Inquiry stage.*



MEDIATION & INVESTIGATION

The role of the Information and Privacy Commissioner is regulatory. The Commissioner's authority to mediate and investigate is extensive.

The processes involved in mediation and investigation within the OIPC are separate and distinct. Mediation is used to describe the activities involved in the review of an access request. Investigation is used to describe the activities involved in the resolution of complaints.

MEDIATION

Should an individual not be satisfied with the decisions made by the public body/custodian/organization in response to a request for access to information, the individual may approach the Commissioner and ask for a review to be conducted. The request for a review must be received by the Commissioner's Office no later than 60 days from receipt of the public body/custodian's response (section 47(2)(a) of the PIPA requires that the request be delivered within 30 days of the individual being notified of the organization's decision). Section 66(2)(ii) of the *Freedom of Information and Protection of Privacy* (FOIP) Act allows the Commissioner to accept a request for review after the 60-day period if he so decides (section 47(2)(b) of the PIPA authorizes the Commissioner to allow a longer period). Upon receipt of a request for review, the Commissioner assigns a Portfolio Officer to mediate. The FOIP Act and the *Health Information Act* (HIA) allow 90 days for the purpose of mediation or any longer period authorized by the Commissioner. The PIPA does not impose a time limit.

During mediation, the Portfolio Officer acts as a facilitator between the public body/custodian/organization and the applicant with the goal of negotiating a mutually acceptable resolution of the dispute. Mediation involves extensive review of the records at issue, the interpretation and application of various pieces of complex legislation, identification of concrete issues and the presentation of findings to the parties. Mediation is extremely effective in resolving disputes (see Table 4, page 17) over access to records and/or the duty imposed by Section 10 of the FOIP Act and Section 10 of the HIA (section 27 in the PIPA is the equivalent "Duty to Assist" provision), as can be seen in the statistics that follow this discussion. On occasion where a resolution cannot be reached, mediation has assisted in reducing the number of issues that proceed to inquiry.

The OIPC maintains a commitment to the use of mediation in order to successfully resolve disputes, even if that resolution requires an extension of the 90-day time period.

INVESTIGATION

Complaints result when a public body/custodian/organization appears to be contravening the privacy provisions outlined in the FOIP Act, the HIA and the PIPA. Rarely do complaints pertain to issues of access to information. They usually involve the alleged unauthorized collection, use and disclosure of personal information/health information by a public body/custodian/organization. Upon receipt of a privacy complaint, the Commissioner assigns a Portfolio Officer to investigate the matter. Unlike mediation, there is no set 90-day time period for the completion of an investigation.

During the investigation, the Portfolio Officer endeavours to piece together the events that led to the alleged breach and determine whether or not the collection, use or disclosure of personal information/health information was indeed a contravention of the FOIP Act, the HIA or the PIPA. An investigation may involve extensive interviews with parties and interpretation and application of legislation. The findings and recommendations of an investigation are provided to the parties involved and may be presented in a formal investigation report that may be publicly released. The

findings and recommendations of an investigation may have far reaching implications.

INQUIRY

If no resolution is reached during mediation, an individual may ask that the matter proceed to inquiry. Complainants may ask for an inquiry if they are not satisfied with the findings of the Portfolio Officer's investigation and if the complaint relates to their own personal or health information (the PIPA does not explicitly say that a complaint has to be about an individual's own information). A Commissioner's inquiry is a formal quasi-judicial process where the Commissioner decides issues of fact and law to resolve a review or a complaint and issues an Order. An Order issued by the Commissioner is final and the only avenue of appeal is Judicial Review before the Court of Queen's Bench.

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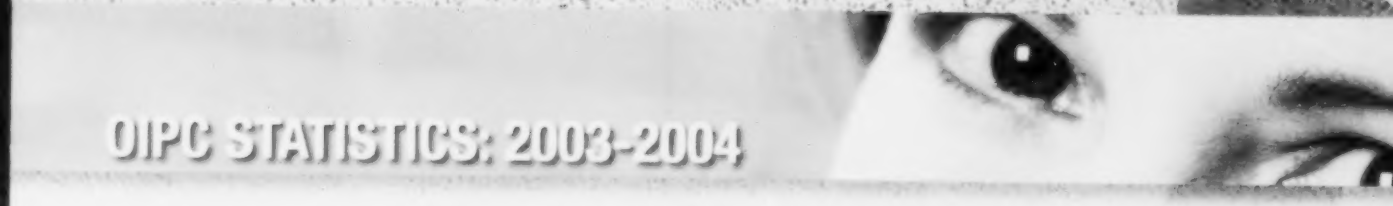
If no resolution is reached during mediation, an individual may ask that the matter proceed to inquiry. Complainants may ask for an inquiry if they are not satisfied with the findings of the Portfolio Officer's investigation and if the complaint relates to their own personal or health information (the PIPA does not explicitly say that a complaint has to be about an individual's own information). A Commissioner's inquiry is a formal quasi-judicial process where the Commissioner decides issues of fact and law to resolve a review or a complaint and issues an Order. An Order issued by the Commissioner is final and the only avenue of appeal is Judicial Review before the Court of Queen's Bench.



OIPC STATISTICS: 2003-2004

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OIPC STATISTICS: 2003-2004 : TABLE 1 & 2

Table 1: Cases Opened 2003-2004 Fiscal Year FOIP, HIA, PIPA

Statistics are from the period April 1, 2003 to March 31, 2004

Case Type	FOIP	HIA	*PIPA
Request for Review	145	44	4
Excuse Fees	8	0	0
Complaint	50	5	6
Privacy Impact Assessments (PIA)	29	131	0
Advice and Direction	3	2	0
Time Extension	16	0	0
Investigation Generated by Commissioner	4	11	1
Authorization to Disregard a Request	5	0	0
**Other	20	2	0
Total	*280*	*195*	*11*

*PIPA statistics are from the time period the Act came into force January 1, 2003 to March 31, 2004

**Case types identified in the 'Other' category include: Requests for Information, Requests Regarding Time Extensions, Comments on Schemes and Programs, Research Proposal Agreements and Data Sharing Agreements

Please refer to Appendix A for a complete listing of the cases opened in the 2003-2004 fiscal year by Public Body, Custodian and Organization Type

Table 2: Cases Closed 2003-2004 Fiscal Year FOIP, HIA, PIPA

Statistics are from the period April 1, 2003 to March 31, 2004

Case Type	FOIP	HIA	*PIPA
Request for Review	153	32	0
Excuse Fees	9	0	0
Complaint	50	21	1
**Privacy Impact Assessments (PIA)	32	113	0
Advice and Direction	4	3	0
Time Extension	16	0	0
Investigation Generated by Commissioner	6	8	0
Authorization to Disregard a Request	2	0	0
***Other	18	2	0
Total	*290*	*179*	*1*

*PIPA statistics are from the time period the Act came into force January 1, 2003 to March 31, 2004

***Please refer to Appendix D for a complete listing of the PIAs accepted by the Commissioner in the fiscal year 2003-2004*

***Case types identified in the 'Other' category include: Requests for Information, Requests Regarding Time Extensions, Comments on Schemes and Programs, Research Proposal Agreements and Data Sharing Agreements

Please refer to Appendix B for a complete listing of the cases closed in the 2003-2004 fiscal year by Public Body, Custodian and Organization Type

OIPC STATISTICS: 2003-2004 : TABLE 1 & 2

Table 1: Cases Opened 2003-2004 Fiscal Year FOIP, HIA, PIPA

Statistics are from the period April 1, 2003 to March 31, 2004

Case Type	FOIP	HIA	*PIPA
Request for Review	145	44	4
Excuse Fees	8	0	0
Complaint	50	5	6
Privacy Impact Assessments (PIA)	29	131	0
Advice and Direction	3	2	0
Time Extension	16	0	0
Investigation Generated by Commissioner	4	11	1
Authorization to Disregard a Request	5	0	0
**Other	20	2	0
Total	***280***	***195***	***11***

*PIPA statistics are from the time period the Act came into force January 1, 2003 to March 31, 2004

***Case types identified in the "Other" category include: Requests for Information, Requests Regarding Time Extensions, Comments on Schemes and Programs, Research Proposal Agreements and Data Sharing Agreements*

Please refer to Appendix A for a complete listing of the cases opened in the 2003-2004 fiscal year by Public Body, Custodian and Organization Type

Table 2: Cases Closed 2003-2004 Fiscal Year FOIP, HIA, PIPA

Statistics are from the period April 1, 2003 to March 31, 2004

Case Type	FOIP	HIA	*PIPA
Request for Review	153	32	0
Excuse Fees	9	0	0
Complaint	50	21	1
**Privacy Impact Assessments (PIA)	32	113	0
Advice and Direction	4	3	0
Time Extension	16	0	0
Investigation Generated by Commissioner	6	8	0
Authorization to Disregard a Request	2	0	0
***Other	18	2	0
Total	***290***	***179***	***1***

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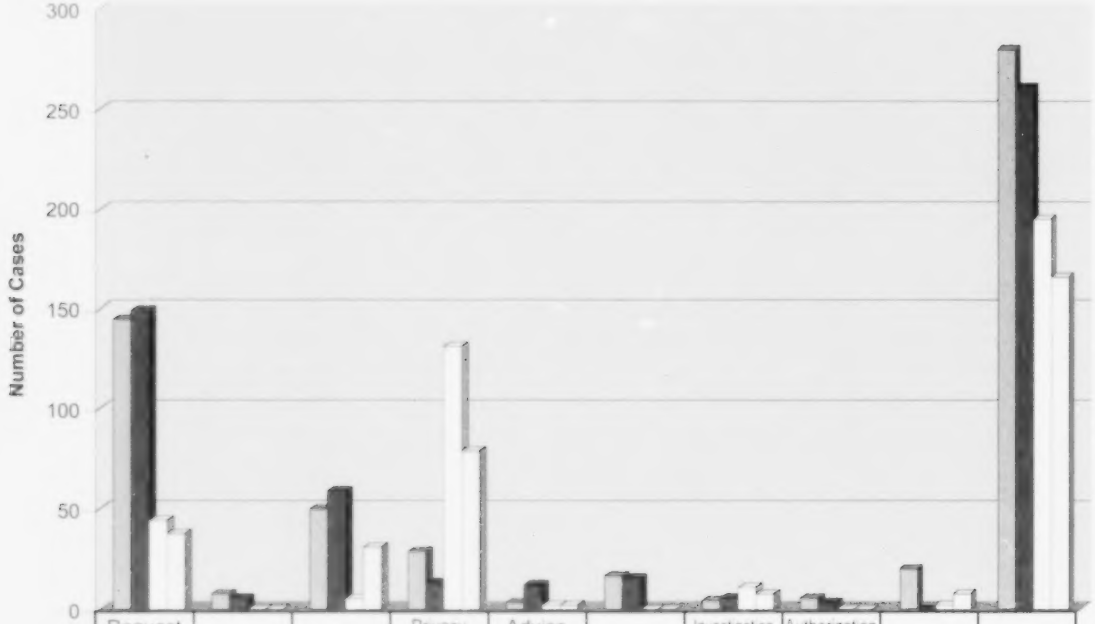
OIPC STATISTICS: 2003-2004 : GRAPH 1

Graph 1: Total Number of Cases Opened - A Two Year Comparison



	Request for Review	Excuse Fees	Complaint	Privacy Impact Assessment	Advice and Direction	Time Extension	Investigation Generated by Commissioner	Authorization to Disregard	Other	Total
FOIP Cases Opened 2004	145	8	50	29	3	16	4	5	20	280
FOIP Cases Opened 2003	149	5	59	13	12	15	5	3	0	261
HIA Cases Opened 2004	44	0	5	131	2	0	11	0	2	195
HIA Cases Opened 2003	38	0	31	79	2	0	8	0	8	166

OIPC STATISTICS: 2003-2004 : GRAPH 2

Graph 2: Total Number of Cases Closed - A Two Year Comparison

	Request for Review	Excuse Fees	Complaint	Privacy Impact Assessment	Advice and Direction	Time Extension	Investigation Generated by Commissioner	Authorization to Disregard	Other	Total
FOIP Cases Closed 2004	153	9	50	32	4	16	6	2	18	290
FOIP Cases Closed 2003	129	4	88	15	12	15	4	0	4	271
HIA Cases Closed 2004	32	0	21	113	3	0	8	0	2	179
HIA Cases Closed 2003	40	0	13	36	3	0	8	0	7	107

OIPC STATISTICS: 2003-2004 : TABLE 3 & 4 ; GRAPH 4

Table 3: Cases Opened by Public Vs. Bodies Subject to the Legislation

Statistics are from the period April 1, 2003 to March 31, 2004

Applicant Type	Number of Cases	Percentage
FOIP		
Public Bodies	71	25%
**Public	209	75%
Total	***280***	***100%***
HIA		
Custodian	148	76%
**Public	47	24%
Total	***195***	***100%***
*PIPA		
***Public	11	100%
Total	***11***	***100%***

*PIPA Statistics are from the time period the Act came into force January 1, 2004 to March 31, 2004

** *Includes the following applicant types (individuals, media, agent, third party agents, agent applicants, MLAs, organizations, company, other, special interest groups)*

****Includes the following applicant type (individuals)*

Table 4: Percentage of Cases Closed by Resolution Method

Statistics are from the period April 1, 2003 to March 31, 2004

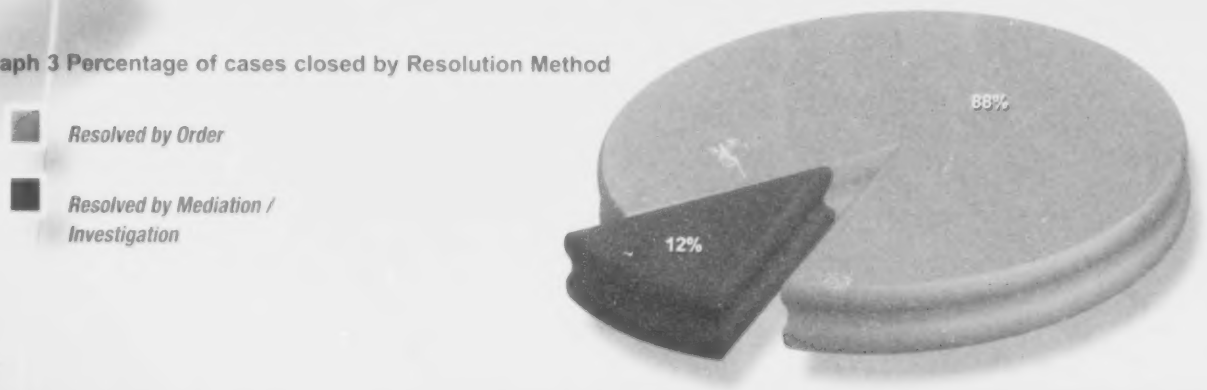
Resolution Method	Number of Cases (FOIP)	Number of Cases (HIA)	Number of Cases *(PIPA)	Total	Percentage
Resolved by Mediation/Investigation	184	49	1	234	88%
Resolved by Order	27	4	0	31	12%
Total	***211***	***53***	***1***	***265***	***100%***

*PIPA Statistics are from the time the Act came into force January 1, 2004 to March 31, 2004

Note *Only those cases types that can proceed to inquiry have been included in this statistic*

Please refer to Appendix C for a complete listing of the Orders and Investigation Reports issued by the Comissioner and his staff and Appendix B for a listing of Cases Closed 2003-2004

Graph 3 Percentage of cases closed by Resolution Method



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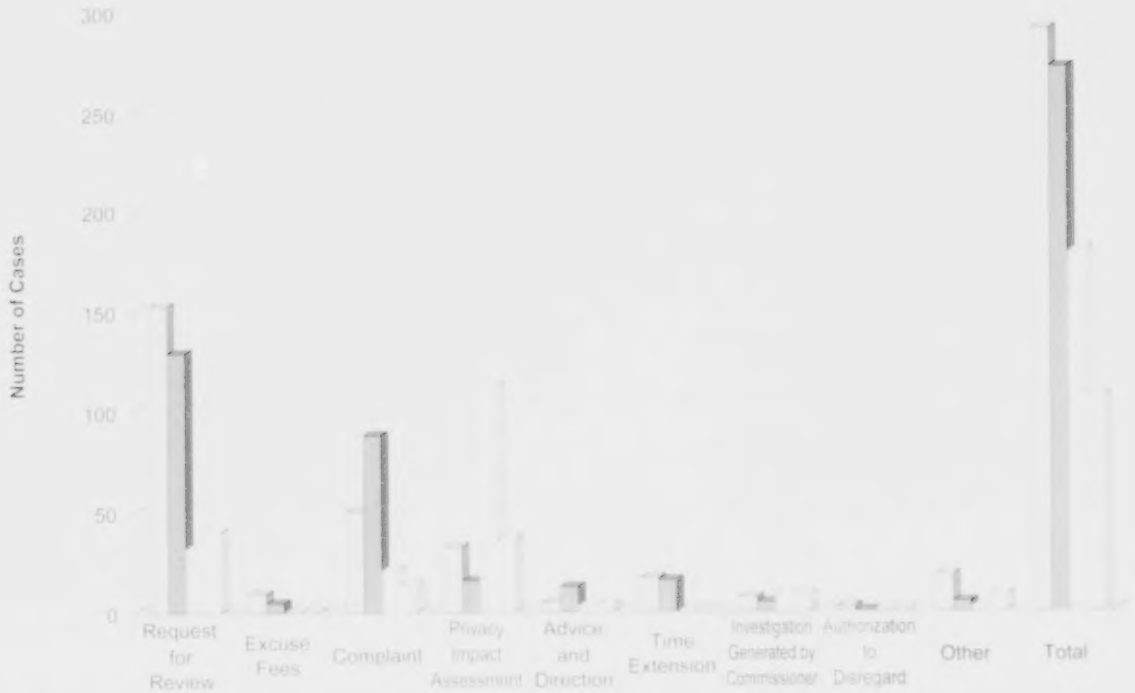

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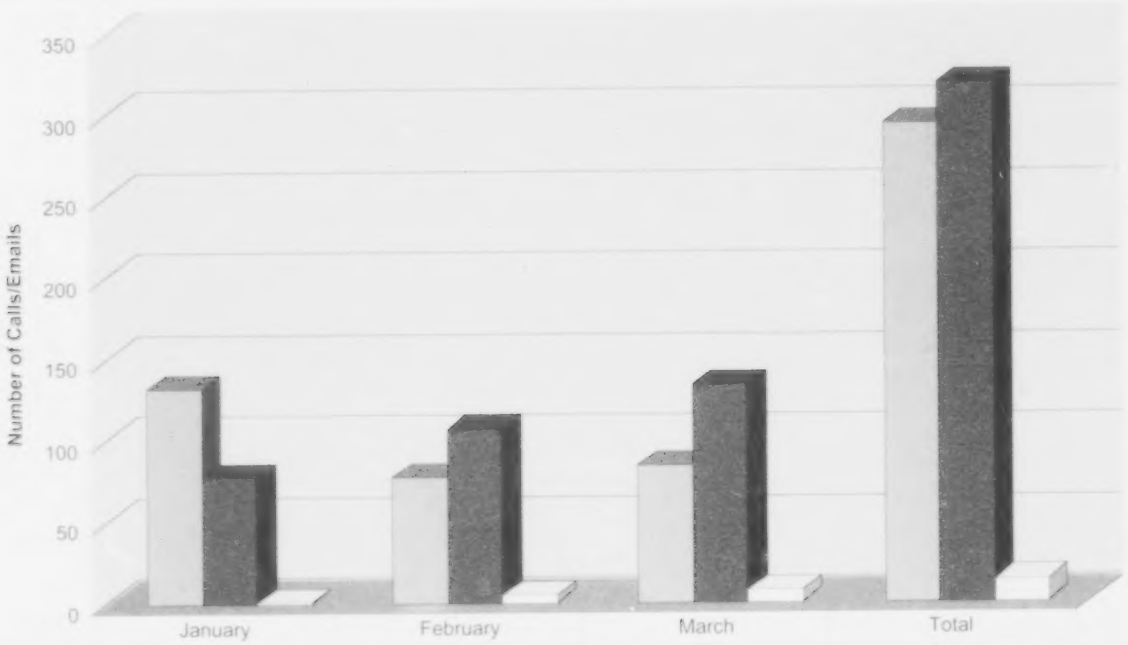
Graph 3 Percentage of cases closed by Resolution Method

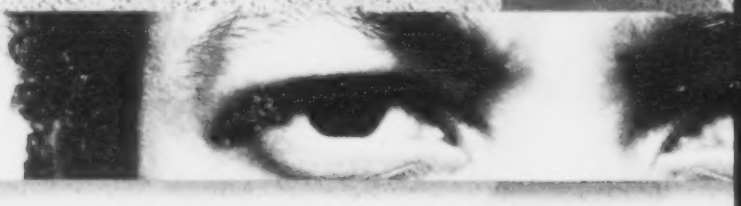
OIPC STATISTICS: 2003-2004 : GRAPH 4

Graph 4: PIPA Non-case Related Telephone and Email Enquiries January 1, 2004 - March 31, 2004



	January	February	March	Total
Organizations	132	78	84	294
Individuals	78	107	134	319
Non-jurisdictional	1	5	8	14

Month



SUMMARIES: SELECTED ORDERS & INVESTIGATION REPORTS

(RELEASED BETWEEN APRIL 1, 2003 AND MARCH 31, 2004)

INTERPRETATION OF LEGISLATION

Under the Acts, the Commissioner is an Officer of the Legislature and independent from government. As such, one of the Commissioner's key responsibilities is to provide for independent reviews of decisions made by public bodies, custodians and organizations and the resolution of complaints under the FOIP Act, the HIA and the PIPA. The following are some of the significant Orders and Investigation Reports issued that help interpret the Acts.

Commissioner releases investigation report concerning surveillance cameras on Whyte Avenue in Edmonton — *Investigation Report F2003-IR-005*

Information and Privacy Commissioner Frank Work released an investigation report into the matter of whether the Edmonton Police Service ("EPS") has the authority under the *Freedom of Information and Protection of Privacy Act* (the "FOIP Act") to collect personal information by way of video surveillance cameras on Whyte Avenue in Edmonton.

On May 22, 2003, EPS submitted to the Commissioner's Office a privacy impact assessment ("PIA") concerning a pilot project to conduct video surveillance of the Whyte Avenue corridor during the Canada Day Long Weekend (June 27-July 2, 2003) and the "Fringe" festival (August 13-25, 2003). In the PIA, EPS evaluated the project to ensure compliance with the FOIP Act.

The Commissioner agreed that, as long as EPS collected personal information for the purposes of law enforcement as set out in the PIA, EPS had the authority under the FOIP Act to collect personal information via video surveillance cameras in the particular circumstances pertaining to Whyte Avenue.

In a postscript to the investigation report, the Commissioner expressed concern about the general use of surveillance cameras in public places. He said that surveillance cameras in public places are an extraordinary measure for our society and should only be used where the need for and the effectiveness of the cameras are clear. Surveillance cameras and general public surveillance must not be seen as the common solution to every crime or security problem.

Investigation recommends assessment and implementation of safeguards to ensure proper disposal of electronically stored health information — *Investigation Report H2003-IR-002*

The Information and Privacy Commissioner publicly released an Investigation Report concerning the discovery of health information on the hard drive of a second hand computer.

On May 28, 2003, a television broadcaster reported the discovery of health information on the hard drive of a used computer purchased by an individual in Calgary, Alberta. The records/information contained health information related to medical care and treatment provided by physicians at the Associate Medical Clinic in Airdrie.

The Commissioner's Office commented that this was an unfortunate situation involving custodians who take the privacy and confidentiality of health information seriously. The Office said that custodians must maintain safeguards to protect health information, including appropriate measures to ensure proper disposal of health information.

The Office recommended that computer data storage components or portable media containing health information that requires exchange or disposal should be destroyed, or the health information should be permanently deleted through use of a commercial disk wiping utility.

Investigation finds that Clinic met requirements to complete a Privacy Impact Assessment and maintain safeguards to protect health information — *Investigation Report H2003-IR-003*

The Information and Privacy Commissioner publicly released an Investigation Report concerning the theft of computers from the Family Care Medical Centre in Calgary, Alberta.

The Commissioner's Office found that the Clinic had met the requirements of the *Health Information Act* by completing a Privacy Impact Assessment and implementing safeguards to protect health information. Although computers were stolen, health information was protected as the Clinic had saved all health information to a data server that was secured in a locked room.

The Office commented that the steps taken by the Clinic to comply with the *Health Information Act* and implement safeguards to protect health information served to keep this incident from becoming a privacy breach.

Commissioner upholds decision of Capital Health Authority to withhold health information — *Order H2003-001*

The Applicant made two requests to the Alberta Mental Health Board ("AMHB") under the *Health Information Act*, for access to portions of her hospital record at Alberta Hospital Edmonton. The operation and management of Alberta Hospital Edmonton has since been transferred from the AMHB to the Capital Health Authority (CHA). The CHA refused to disclose any records/information to the Applicant.

The CHA said it was exercising its discretion to refuse to disclose any of the records/information under s. 11(1)(a)(ii) of the Act as the disclosure could reasonably be expected to threaten the mental or physical health or safety of another individual. The Commissioner upheld the decision of the Custodian to withhold the records/information.

Commissioner concludes investigation on the Alberta Government's 2002 Corporate Employee Survey — *Investigation Report F2003-IR-004*

In July 2003, the Commissioner publicly released his report on an investigation he initiated on his own motion after receiving information under section 82(1)(b) (whistleblower) of the FOIP Act, regarding the Alberta Government's 2002 Corporate Employee Survey.

The Alberta Government conducts a government-wide employee survey on an annual basis. A private sector company was contracted to design the 2002 survey questionnaire; interview the survey participants; collect and analyze the survey results; and report the survey results to the Alberta Government and to the departments.

A total of 7,068 provincial government employees were invited to participate in the 2002 survey. Participation in the survey was on a voluntary basis. Survey participants were asked to rate their level of satisfaction or agreement with a set of statements and questions. The survey also contained an open-ended question in which the survey participants' responses were recorded "verbatim". The Contractor was required to edit the verbatim responses and remove personal identifiers before releasing verbatim responses to the departments.

The Commissioner had received information that claimed the verbatim responses contained sufficient details that would enable departments to identify specific employees. The investigation reviewed 294 pages of edited verbatim responses and found no evidence that these responses would be linked to specific individuals. The investigation concludes the edited verbatim responses did not contain "personal information" and the privacy provisions set out in Part 2 of *Freedom of Information and Protection of Privacy Act* did not apply to the information.

Investigation finds that, while the collection and disclosure of information was authorized, a school division did not have reasonable security arrangements in place to protect the information it had collected — *Investigation Report H2003-IR-001 & F2003-IR-003*

The Commissioner publicly released an Investigation Report concerning the Alberta Mental Health Board's (AMHB) disclosure of health information to the Northern Lights School Division # 69 (NLSD) concerning a student's suicide attempt.

The Commissioner's Office determined that the AMHB's disclosure of health information was authorized by the *Health Information Act*, as the disclosure was made for the purpose of providing continuing treatment and care in an effort to ensure the safety of the student. The Office determined that the NLSD's collection of health information was authorized by the *Freedom of Information and Protection of Privacy Act*. However, the Office determined that the school did not have reasonable security arrangements in place to protect against unauthorized access to the information that had been collected. The Office made a number of recommendations concerning protection of the privacy and security of student personal information within the school's electronic information system. The school division was also asked to complete and submit a privacy impact assessment.

Adjudicator finds that St. Michael's Extended Care Centre Society and St. Michael's Long Term Care Centre disclosed personal information in breach of the FOIP Act — *Order F2002-026*

The Complainant alleged that an individual employed by both St. Michael's Extended Care Centre Society and St. Michael's Long Term Care Centre, breached Part 2 of the *Freedom of Information and Protection of Privacy Act* (FOIP Act) by disclosing the Complainant's personal information to the Capital Health Authority.

The Adjudicator found that both St. Michael's Extended Care Centre Society and St. Michael's Long Term Care Centre breached Part 2 of the Act. The Adjudicator found that St. Michael's Extended Care Centre Society and St. Michael's Long Term Care Centre were public bodies under the Act and that both of these organizations were involved in the disclosure of the Complainant's personal information. The Adjudicator also found that neither of these public bodies had the authority under section 40 of the Act to disclose the information.

The Adjudicator ordered the Care Centre and the Society to comply with its duty not to disclose the Complainant's personal information in breach of Part 2 of the Act in the future.

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The Adjudicator ordered the Care Centre and the Society to comply with its duty not to disclose the Complainant's personal information in breach of Part 2 of the Act in the future.

THE ISSUES

Over the past year the OIPC was involved in, or highlighted, a number of issues related to access and privacy in Alberta and Canada. The Commissioner has the mandate to inform Albertans about issues affecting their access and privacy rights, including identifying schemes and programs from the provincial and federal governments that have access and privacy implications in Alberta.

Commissioner welcomes new private sector privacy law *(December 2003)*

Alberta's Information and Privacy Commissioner, Frank Work, welcomed the passing of Bill 44: the *Personal Information Protection Act* (PIPA).

"This is a good law. It is faithful to the federal law, but offers Alberta businesses a number of refinements and more clarity," said Commissioner Work in a news release.

PIPA governs the means by which private sector organizations handle personal information, recognizing both the right of an individual to have his or her personal information protected and the need of organizations to collect, use or disclose personal information for purposes that are reasonable.

"I understand that it will take time for businesses and organizations to implement the requirements of PIPA," said Commissioner Work. "However, on January 1, 2004 individuals have the right to file a complaint under the Act. We prefer that organizations have the first opportunity to resolve complaints with the individual. Organizations should therefore establish good internal procedures to deal with privacy issues," added the Commissioner.

A private-sector privacy team was established in Calgary.

Alberta Cancer Board demos its EHR Integrated Cancer Care Network *(November 2003)*

The Office of the Information and Privacy Commissioner and the Alberta Cancer Board, in an effort to promote and educate Albertans on the *Health Information Act*, invited health reporters to attend a demo of the Alberta Cancer Board's Integrated Cancer Care Network (ICCN).

The software, OpTx Manager, is the application that supports this initiative.

The OpTx system is sophisticated software that will eventually move the Alberta Cancer Board from the use of paper medical records to an electronic health record. The Alberta Cancer Board believes movement to an electronic medical record will allow access to a patient's medical record from multiple facilities which will improve patient management while ensuring only authorized users have access.

"The ICCN is an excellent example of how the Privacy Impact Assessment (PIA) process developed by my Office has been designed to work," said Commissioner Frank Work in a press release. "Through completing this process, the Alberta Cancer Board identified potential risks to the privacy and security of health information and has put steps into place to mitigate those risks," the Commissioner added.

The demo took place at the Office of the Information and Privacy Commissioner on Friday, December 5, 2003. Commissioner Frank Work and representatives from the Alberta Cancer Board were in attendance.

Commissioner releases literature review on privacy and surveillance as it affects social behaviour *(January 2004)*

Alberta's Information and Privacy Commissioner, Frank Work, released a literature review commissioned by his office in August 2003 to study the affects of privacy and surveillance on social behaviour.

"There is a lot of discussion of how the loss of privacy effects us as human beings, but most of this discussion is centered on issues of principle: human rights, the right to be left alone, presumptions of innocence and so on," said Commissioner Work in a news release.

"What is lacking is scientific discussion of what the absence of privacy and greater surveillance means in

terms of human behaviour. This literature review is a low cost approach to encouraging academics, students or anyone else who is interested to look at the scientific dimension to privacy," the Commissioner added.

Federal, British Columbia and Alberta Commissioners working together to ensure seamless privacy protection in the private sector *(January 2004)*

The Privacy Commissioner of Canada, Jennifer Stoddart, the Information and Privacy Commissioner of British Columbia, David Loukidelis, and the Information and Privacy Commissioner of Alberta, Frank Work, announced that they will be working cooperatively to develop a harmonized approach to dealing with privacy complaints in the private sector.

All three jurisdictions faced new responsibilities with the coming into force on January 1, 2004 of their respective private sector privacy laws. Early in the new year, Ms. Stoddart, Mr. Loukidelis and Mr. Work met in Ottawa to begin working out an understanding for administering their respective laws and to begin developing fair, consistent and clear rules of enforcement, which will help to eliminate any confusion regarding jurisdiction.

The federal law, the *Personal Information Protection and Electronic Documents Act* (PIPEDA), has been coming into force in stages since 2001, when it began applying to the federally-regulated sector and to cross-border transactions.

At the beginning of the new year, PIPEDA extended its reach to the collection, use and disclosure of personal information in the course of commercial activities throughout the rest of the private sector, except in provinces which have enacted legislation that is substantially similar to the federal law. In November 2003, Quebec's private sector privacy law, which has been in force for close to 10 years, was deemed substantially similar to PIPEDA by the federal government.

In January 2004, both the *Personal Information Protection Act* (PIPA) in British Columbia and the *Personal Information Protection Act* (PIPA) in Alberta came into force. These laws contain the same principles and may apply to the same organizations as PIPEDA.

Both in the coming months and in the foreseeable future, the three commissioners are committed to working together to minimize red tape and to create a seamless continuum of privacy protection that is both practical for businesses and respectful of citizens' privacy rights.

Albertans' personal information not exposed to the Patriot Act *(March 2004)*

As of writing of this annual report, the Information and Privacy Commissioner for British Columbia is conducting an investigation on the reach of the USA Patriot Act to outsourced data. When his report is released, Commissioner Frank Work will review it closely, and analyze it with an eye to determining its applicability to the situation in Alberta, namely, what the risks are with respect to the personal information of Albertans, and what remedies there might be. A formal statement of findings will be publicly issued.

Security breach is a reminder to be vigilant with protecting personal information *(March 2004)*

In light of recent media reports surrounding a security breach at Equifax Canada, the Office of the Information and Privacy Commissioner advised individuals who may believe they have been a victim of this breach to take the following action:

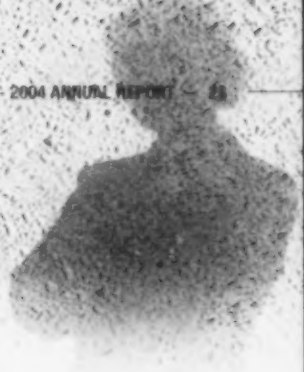
- Contact Equifax Canada (1-800-465-7166) and Transunion Canada (1-866-525-0262) to view your credit bureau file. Equifax Canada Inc. has notified the individuals affected by this incident.
- Contact your bank, credit union, or credit card company to determine whether any unusual transactions have occurred in your accounts.
- Review your credit card and bank statements and report any suspicious transactions.

The R.C.M.P. investigated this issue and the Privacy Commissioner of Canada opened an incident file and inquired into the unauthorized disclosure of personal information.

Albertans attach importance and pay attention to protection of personal privacy -- survey results show *(June 2003)*

Privacy continues to be an important issue for Albertans. This was one of the conclusions from a survey commissioned by the Office of the Information and Privacy Commissioner.

Compared to a 2000 survey of access and privacy attitudes of Albertans, the new survey indicated there was



a high level of attention paid to the privacy and confidentiality of personal health information, particularly the role of health custodians in keeping personal health information confidential.

Other important findings from the survey include:

- Respondents overwhelmingly agree that it is important to protect individual privacy in Alberta (98% agree), an increase of 10% from the 2000 benchmark survey.
- Nearly three-quarters (74%) of respondents are concerned that the privacy of personal information is at risk in Alberta, a significant increase from the 56% recorded in the 2000 survey.
- Eighty-two per cent of respondents are concerned about the privacy of their own personal information, an increase of 11% from the 2000 survey.
- Nearly three-quarters (71%) of respondents indicate that they personally pay some or a lot of attention to issues around the privacy and confidentiality of personal health information.
- Albertans attach considerable importance to the role of health custodians in keeping their personal health information confidential. Physicians (90%), hospitals and nursing homes (89%), pharmacies or pharmacists (88%), and Alberta Health and Wellness (87%) all considered to play very important roles in keeping personal health information, private.

The survey was conducted from March 15 to 28 with 1,004 Albertans. Six hundred respondents were drawn from urban Alberta, with 404 respondents from rural Alberta. The margin of error for the full sample is plus or minus 2.5%, 19 times out of 20.

terms of human behaviour. This literature review is a low cost approach to encouraging academics, students or anyone else who is interested to look at the scientific dimension to privacy," the Commissioner added.

Federal, British Columbia and Alberta Commissioners working together to ensure seamless privacy protection in the private sector *(January 2004)*

The Privacy Commissioner of Canada, Jennifer Stoddart, the Information and Privacy Commissioner of British Columbia, David Loukidelis, and the Information and Privacy Commissioner of Alberta, Frank Work, announced that they will be working cooperatively to develop a harmonized approach to dealing with privacy complaints in the private sector.

All three jurisdictions faced new responsibilities with the coming into force on January 1, 2004 of their respective private sector privacy laws. Early in the new year, Ms. Stoddart, Mr. Loukidelis and Mr. Work met in Ottawa to begin working out an understanding for administering their respective laws and to begin developing fair, consistent and clear rules of enforcement, which will help to eliminate any confusion regarding jurisdiction.

The federal law, the *Personal Information Protection and Electronic Documents Act* (PIPEDA), has been coming into force in stages since 2001, when it began applying to the federally-regulated sector and to cross-border transactions.

At the beginning of the new year, PIPEDA extended its reach to the collection, use and disclosure of personal information in the course of commercial activities throughout the rest of the private sector, except in provinces which have enacted legislation that is substantially similar to the federal law. In November 2003, Quebec's private sector privacy law, which has been in force for close to 10 years, was deemed substantially similar to PIPEDA by the federal government.

In January 2004, both the *Personal Information Protection Act* (PIPA) in British Columbia and the *Personal Information Protection Act* (PIPA) in Alberta came into force. These laws contain the same principles and may apply to the same organizations as PIPEDA.

Both in the coming months and in the foreseeable future, the three commissioners are committed to working together to minimize red tape and to create a seamless continuum of privacy protection that is both practical for businesses and respectful of citizens' privacy rights.

Albertans' personal information not exposed to the Patriot Act *(March 2004)*

As of writing of this annual report, the Information and Privacy Commissioner for British Columbia is conducting an investigation on the reach of the USA Patriot Act to outsourced data. When his report is released, Commissioner Frank Work will review it closely, and analyze it with an eye to determining its applicability to the situation in Alberta, namely, what the risks are with respect to the personal information of Albertans, and what remedies there might be. A formal statement of findings will be publicly issued.

Security breach is a reminder to be vigilant with protecting personal information *(March 2004)*

In light of recent media reports surrounding a security breach at Equitas Canada, the Office of the Information and Privacy Commissioner advised individuals who may believe they have been a victim of this breach to take the following action:

- Contact Equitas Canada (1-800-465-7866) and Transunion Canada (1-866-525-0262) to view your credit bureau file. Equitas Canada Inc. has notified the individuals affected by this incident.
- Contact your bank, credit union, or credit card company to determine whether any unusual transactions have occurred in your accounts.
- Review your credit card and bank statements and report any suspicious transactions.

The R.C.M.P. investigated this issue and the Privacy Commissioner of Canada opened an incident file and inquired into the unauthorized disclosure of personal information.

Albertans attach importance and pay attention to protection of personal privacy -- survey results show *(June 2003)*

Privacy continues to be an important issue for Albertans. This was one of the conclusions from a survey commissioned by the Office of the Information and Privacy Commissioner.

Compared to a 2000 survey of access and privacy attitudes of Albertans, the new survey indicated there was

a high level of attention paid to the privacy and confidentiality of personal health information, particularly the role of health custodians in keeping personal health information confidential.

Other important findings from the survey include:

- Respondents overwhelmingly agree that it is important to protect individual privacy in Alberta (98% agree), an increase of 40% from the 2000 benchmark survey.
- Nearly three-quarters (74%) of respondents are concerned that the privacy of personal information is at risk in Alberta, a significant increase from the 56% recorded in the 2000 survey.
- Eighty-two per cent of respondents are concerned about the privacy of their own personal information, an increase of 11% from the 2000 survey.
- Nearly three-quarters (74%) of respondents indicate that they personally pay some or a lot of attention to issues around the privacy and confidentiality of personal health information.
- Albertans attach considerable importance to the role of health custodians in keeping their personal health information confidential. Physicians (90%), hospitals and nursing homes (86%), pharmacies or pharmacists (88%), and Alberta Health and Wellness (87%) all considered to play very important roles in keeping personal health information private.

The survey was conducted from March 15 to 28 with 1,004 Albertans. Six hundred respondents were drawn from urban Alberta, with 404 respondents from rural Alberta. The margin of error for the full sample is plus or minus 3.1% 19 times out of 20.

CREATING AWARENESS ABOUT THE PIPA

The OIPC decided to work with the Access and Privacy Branch (APB) of Alberta Government Services and the Alberta Chambers of Commerce to share resources, develop joint materials for distribution, conduct a radio awareness campaign, and jointly deliver PIPA workshops throughout the province. These workshops were offered in rural as well as urban centers.

The Legislature Officers' Committee provided the OIPC with a budget of $100,000 for marketing and creating awareness of the PIPA. Additionally, the Committee granted the OIPC additional funds to open a branch office in Calgary to deal exclusively with the PIPA.

The first initial meeting with APB and the OIPC was in the summer of 2003 where it was decided that a guide book was needed to help organizations comply with the provisions of the PIPA. The Guide would be modeled on the OIPC's HIA Guide: "Health Information, A Personal Matter".

The PIPA Guides were ready for distribution during the first week of February, in time for the first PIPA Workshop. The PIPA workshops were organized and conducted with APB from March 8 to March 31, 2004. There were 24 sessions in 17 locations across Alberta. The final workshop was conducted in Innisfail, AB in April. Overall, there were 960 participants. The primary objective of the workshops was to provide businesses and non-profit organizations, especially small and medium-sized ones, with an overview of the requirements of the Act and an awareness of what they need to do to comply with the Act.

The second phase of the marketing and awareness campaign was the creation of public service announcement radio advertisements. The OIPC was responsible for the ads and we contacted 630 CHED and QR-77 (Corus Entertainment), talk radio stations with a broadcast reach province-wide. CFCW country was also used because of its rural reach.

The radio ads were based on the "Did you know..." concept, used by the OIPC in 2001 for our successful ACCESS television spots. Two ads were created with a female and male voice over with one ad that targeted organizations and non-profits, while the other focused on the public.

The radio ads were broadcast province-wide for a two-week period, February 2-15, 2004. During this period, the third phase of the marketing and awareness campaign was launched: The PIPA Workshops.

MEASURING SUCCESS

There are some quantitative and qualitative measures we used to gauge the success of our marketing and awareness campaign on the PIPA. The first quantitative measure was the number of phone calls our offices received prior to and after January 1, 2004. In December 2003 we received a total of 63 PIPA-related phone calls; 49 from organizations and 14 from individuals.

In January 2004, the calls jumped to 210; 127 from organizations, 76 from individuals and 7 unknown. After the awareness campaign began in February, there were noticeable increases:

February =	75 from Organizations
	100 from Individuals
	5 unknown
	180 TOTAL
March =	86 from Organizations
	134 from Individuals
	0 unknown
	220 TOTAL

The second method to measure the effectiveness of our marketing campaign was qualitative in approach: evaluation forms. Evaluation forms were used to provide feedback in order to fine-tune the workshops according to the results.

Overall, the workshops were favourably received with an average rating of 4.12 out of 5.

The workshops achieved their objective by enhancing the participants' understanding of the Act (4.17 out of 5), and of their own organization's obligations under the Act (3.87 out of 5). The participants were very appreciative of the presentations and of the materials provided. The workshops were especially well attended by small business and not-for-profit organizations.

OFFICE OF THE INFORMATION
AND PRIVACY COMMISSIONER

FINANCIAL STATEMENTS

AS OF MARCH 31, 2004

OFFICE OF THE INFORMATION AND PRIVACY COMMISSIONER

FINANCIAL STATEMENTS
AS OF MARCH 31, 2004

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AUDITOR GENERAL
Alberta

To the Chairman, Select Standing Committee on Legislative Offices

I have audited the statement of financial position of the Office of the Information and Privacy Commissioner as at March 31, 2004 and the statements of changes in net liabilities, operations, and cash flow for the year then ended. These financial statements are the responsibility of the Office's management. My responsibility is to express an opinion on these financial statements based on my audit.

I conducted my audit in accordance with Canadian generally accepted auditing standards. Those standards require that I plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In my opinion, these financial statements present fairly, in all material respects, the financial position of the Office as at March 31, 2004 and the results of its operations and its cash flows for the year then ended in accordance with Canadian generally accepted accounting principles.

Fred J. Dunn FCA
Auditor General

Edmonton, Alberta
June 28, 2004

OFFICE OF THE INFORMATION AND PRIVACY COMMISSIONER

STATEMENT OF FINANCIAL POSITION
AS AT MARCH 31, 2004

	2004	2003
ASSETS		
Current assets		
Cash	$ 250	$ 250
Accounts receivable	-	803
Prepaid expenses	27,308	22,734
Total current assets	27,558	23,787
Capital assets (Note 4)	313,766	327,795
	$ 341,324	$ 351,582
LIABILITIES AND NET LIABILITIES		
Current liabilities		
Accounts payable	$ 281,307	$ 228,721
Accrued vacation pay	232,406	207,954
Total current liabilities	513,713	436,675
Net liabilities	(172,389)	(85,093)
	$ 341,324	$ 351,582

The accompanying notes and schedule are part of these financial statements.

OFFICE OF THE INFORMATION AND PRIVACY COMMISSIONER

STATEMENT OF CHANGES IN NET LIABILITIES FOR THE YEAR ENDED MARCH 31, 2004

	2004	2003
Net liabilities at beginning of year	$ (85,093)	$ (65,936)
Net operating results	(3,479,923)	(2,914,322)
Net transfer from general revenues	3,392,627	2,895,165
Net liabilities at end of year	$ (172,389)	$ (85,093)

The accompanying notes and schedule are part of these financial statements.

OFFICE OF THE INFORMATION AND PRIVACY COMMISSIONER

STATEMENT OF OPERATIONS
FOR THE YEAR ENDED MARCH 31, 2004

	2004 Budget (Note 6)	2004 Actual	2003 Actual
Revenues			
Contribution from Infrastructure for accommodation provided at no charge		$ 181,238	$ 132,290
Contribution from Innovation and Science for telephone provided at no charge		11,146	23,060
Shared Services-Office of the Ethics Commissioner		22,243	14,672
Other Revenue		398	393
Prior Year Expenditure Refund		779	-
Total Revenues		215,804	170,415
Expenses			
Voted			
Salary, wages, and employee benefits		2,739,168	2,447,830
Supplies and services		703,512	489,111
	$ 3,867,000	3,442,680	2,936,941
Non-budgetary			
Accommodation and telephone costs		192,384	155,350
Capitalization of assets expensed as supplies		(102,958)	(168,004)
Amortization of capital assets		116,987	105,368
Shared Services-Office of the Ethics Commissioner		22,243	14,672
Loss (Gain) on disposal of capital assets		(61)	1,126
		228,595	108,512
Valuation adjustment			
Provision for vacation pay		24,452	39,284
Total Expenses		3,695,727	3,084,737
Net operating results		$ (3,479,923)	$ (2,914,322)

The accompanying notes and schedule are part of these financial statements.

OFFICE OF THE INFORMATION AND PRIVACY COMMISSIONER

STATEMENT OF CASH FLOW
FOR THE YEAR ENDED MARCH 31, 2004

	2004	2003
Operating transactions		
Net operating results	$ (3,479,923)	$ (2,914,322)
Add non-cash charges		
Amortization of capital assets	116,987	105,368
Loss (Gain) on disposal of capital assets	(61)	1,126
	(3,362,997)	(2,807,828)
(Increase) decrease in accounts receivable	803	(803)
(Increase) in prepaid expense	(4,574)	(19,153)
Increase in accounts payable	52,586	61,313
Increase in accrued vacation pay	24,452	39,284
Cash used by operating transactions	(3,289,730)	(2,727,187)
Investing transactions		
Disposal of capital assests	61	26
Acquisition of capital assets	(102,958)	(168,004)
Cash used in investing transactions	(102,897)	(167,978)
Financing transactions		
Net transfer from general revenues	3,392,627	2,895,165
Net cash provided	-	-
Cash, beginning of year	250	250
Cash, end of year	$ 250	$ 250

The accompanying notes and schedule are part of these financial statements.

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED MARCH 31, 2004

Note 1 Authority

The Office of the Information and Privacy Commissioner (the "Office") is operated under the authority of the Freedom of Information and Protection of Privacy Act. The net cost of the operations of the Office is borne by the General Revenue Fund of the Province of Alberta. Annual operating budgets are approved by the Select Standing Committee on Legislative Offices.

Note 2 Purpose

The Office of the Information and Privacy Commissioner administers the following legislation governing access to information and protection of privacy:

Freedom of Information and Protection of Privacy Act
Health Information Act
Personal Information Protection Act

The major operational purposes of the Office of the Information and Privacy Commissioner are:

To facilitate the resolution of matters dealing with access to information and protection of personal privacy under the three relevant Alberta statutes,

To advocate protection of privacy for Albertans,

To advance open and accountable government in all Alberta public bodies

Note 3 Summary of Significant Accounting Policies and Reporting Practices

These financial statements are prepared in accordance with Canadian generally accepted accounting principles:

a) Reporting Entity

The reporting entity is the Office of the Information and Privacy Commissioner, for which the Information and Privacy Commissioner is responsible.

The Office operates within the General Revenue Fund (the "Fund"). The Fund is administrated by the Minister of Finance. All cash receipts of the Office are deposited into the Fund and all cash disbursements made by the Office are paid from the Fund. Net transfers from general revenues is the difference between all cash receipts and all cash disbursements made.

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED MARCH 31, 2004

Note 3 Summary of Significant Accounting Policies and Reporting Practices (continued)

b) Basis of Financial Reporting

Revenues

All revenues are reported on the accrual basis of accounting.

Expenses

Expenses represent the costs of resources consumed during the year on the Office's operations.

Valuation Adjustments

Valuation adjustments include changes in the valuation allowances used to reflect financial assets and liabilities at their net recoverable or other appropriate value. Valuation adjustments also represent the change in management's estimate of future payments arising from obligations relating to vacation pay.

Assets

Tangible capital assets are amortized on a straight-line basis, over the estimated useful lives of the assets as follows:

Computer hardware and software	3 years
Furniture and other office equipment	10 years

The Office follows government budgetary practices which allow funds from an operating budget to be used to purchase capital assets costing less than $15,000. These purchases are included in expenses on the statement of operations, but are then removed from expenses through a non-budgetary adjustment and are capitalized and amortized over their useful lives. Assets are capitalized if their useful life is expected to be longer than 1 year and purchase price is $2,500 or greater ($250 for fiscal years prior to March 31, 2003).

Liabilities

Liabilities include all financial claims payable by the Office at fiscal year end.

Net Liabilities

Net liabilities represents the difference between the value of assets held by the Office and its liabilities.

Valuation of Financial Assets and Liabilities

Fair value is the amount of consideration agreed upon in an arm's length transaction between knowledgeable, willing parties who are under no compulsion to act.

The fair values of cash, accounts receivable, accounts payable and accrued vacation pay are estimated to approximate their book values, due to the short-term nature of these items.

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED MARCH 31, 2004

Note 4 Capital Assets

	2004			2003
	Cost	Accumulated Amortization	Net Book Value	Net Book Value
Computer hardware and software	$ 470,723	$ 330,840	$ 139,883	$ 153,364
Furniture and other office equipment	280,220	106,336	173,883	174,431
	$ 750,943	$ 437,176	$ 313,766	$ 327,795

Note 5 Defined Benefit Plans

The Office participates in the multiemployer pension plans, Management Employees Pension Plan and Public Service Pension Plan. The Office also participates in the multiemployer Supplementary Retirement Plan for Public Service Managers. The expense for these pension plans is equivalent to the annual contributions of $240,250 for the year ending March 31, 2004 (2003 $197,419).

At December 31, 2003, the Management Employees Pension Plan reported an actuarial deficiency of $290,014,000 (2002-deficiency $301,968,000) and the Public Service Pension Plan reported a deficiency of $596,213,000 (2002-actuarial deficiency $175,528,000). At December 31, 2003, the Supplementary Retirement Plan for Public Service Managers had a surplus of $9,312,000 (2002-actuarial surplus $6,472,000).

The Office also participates in a multiemployer Long Term Disability Income Continuance Plan. At March 31, 2004, the Management, Opted Out and Excluded Plan reported an actuarial surplus of $1,298,000 (2003-actuarial deficiency $3,053,000). The expense for this plan is limited to employer's annual contributions for the year.

OFFICE OF THE INFORMATION AND PRIVACY COMMISSIONER

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED MARCH 31, 2004

Note 6 Budget

Expenses		
2003-2004 budget[a]	$	3,293,000
2003-2004 supplementary budget[b]		574,000
	$	3,867,000
2003-2004 actual expenses (excluding valuation adjustments)		3,442,680
2003-2004 surplus (excluding valuation adjustments)	$	424,320

a) Legislative Assembly Estimates released on April 8, 2003.
b) Supplementary Estimates were approved on December 4, 2003.

Note 7 Lease Obligations and Commitments

The Office leases certain equipment under operating leases that expire on various dates to 2005. The aggregate amount payable for the unexpired terms of these leases are as follows:

2005	$	6,621

Note 8 Approval of Financial Statements

These financial statements were approved by the Information and Privacy Commissioner.

OFFICE OF THE INFORMATION AND PRIVACY COMMISSIONER

Schedule 1

SALARY AND BENEFITS DISCLOSURE FOR THE YEAR ENDED MARCH 31, 2004

	2004				2003
	Base Salary [1]	Other Cash Benefits [2]	Other Non-Cash Benefits [3]	Total	Total
Senior official					
Information and Privacy Commissioner[4]	$ 156,116	-	$ 41,995	$ 198,111	$ 209,827

[1] Base salary includes pensionable contract base pay.

[2] Other cash benefits include bonuses, vacation payments, overtime and lump sum payments.

[3] Other non-cash benefits include employer's share of all employee benefits and contributions or payments made on behalf of employees including CPP/EI premiums, pension, Alberta Health Care, extended medical, prescription drug and dental coverage, group life insurance, long-term disability plan, WCB, professional memberships, tuition and learning/wellness benefit.

[4] Automobile provided, no dollar amount included in other non-cash benefits figures.

OIPC STATISTICS: 2003-2004 - APPENDIX A

Appendix A: Cases Opened 2003-2004 Fiscal Year By Public Body, Custodian and Organization Type

Statistics are from the period of April 1, 2003 to March 31, 2004

Public Body Type	Request for Review	Excuse Fees	Complaint	Privacy Impact Assessments	Advice and Direction	Time Extension	Investigation Generated by Commissioner	Authorization to Disregard Request	Other	Total
Boards	8	0	6	1	0	0	0	1	1	17
Child and Family Service Authorities	1	0	6	2	0	5	0	1	0	15
Colleges	5	0	2	0	0	0	0	0	0	7
Commissions	1	0	0	0	0	0	1	0	0	2
Government Ministries/Departments	59	4	11	22	1	11	2	2	12	124
Independent Agency	2	0	0	0	0	0	0	0	1	3
Law Enforcement Agencies	28	3	4	1	0	0	1	0	0	37
Local Government Bodies	0	0	2	0	0	0	0	1	0	3
Municipalities	22	0	12	0	1	0	0	0	1	36
Regional Health Authorities	4	0	2	0	0	0	0	0	0	6
School Districts	6	0	4	1	0	0	0	0	5	16
Universities	5	0	1	0	1	0	0	0	0	7
Other	3	1	0	2	0	0	0	0	1	7
Total	***141***	***7***	***50***	***27***	***3***	***16***	***4***	***5***	***20***	***280***

HIA Custodian Type										
Alberta Health and Wellness	0	0	0	9	1	0	0	0	1	11
Long Term Care Centres	1	0	0	1	0	0	1	0	0	3
Physicians	20	0	1	85	0	0	4	0	1	111
Provincial Boards	0	0	1	1	0	0	0	0	0	2
Regional Health Authorities	20	0	2	33	1	0	4	0	0	60
Other Custodians	3	0	1	2	0	0	2	0	0	8
Total	***41***	***0***	***4***	***129***	***2***	***0***	***9***	***0***	***2***	***195***

***PIPA Organization Type**										
Educational Services	0	0	0	0	0	0	1	0	0	1
Finance	0	0	1	0	0	0	0	0	0	1
Healthcare and Social Assistance	0	0	1	0	0	0	0	0	0	1
Insurance Industry	1	0	1	0	0	0	0	0	0	2
Manufacturing	1	0	0	0	0	0	0	0	0	1
Real Estate	0	0	1	0	0	0	0	0	0	1
Transportation	1	0	0	0	0	0	0	0	0	1
Utilities	0	0	2	0	0	0	0	0	0	2
Other Services	1	0	0	0	0	0	0	0	0	1
Total	***4***	***0***	***6***	***0***	***0***	***0***	***1***	***0***	***0***	***11***

*PIPA Statistics are from the time the Act came into force January 1, 2004 to March 31, 2004

OIPC STATISTICS: 2003-2004 - APPENDIX A

Appendix A: Cases Opened 2003-2004 Fiscal Year By Public Body, Custodian and Organization Type

Public Body Type	Request for Review	Excuse Fees	Complaint	Privacy Impact Assessments	Advice and Direction	Time Extension	Investigation Generated by Commissioner	Authorization to Disregard Request	Other	Total
Total	*141*	*7*	*50*	*27*	*3*	*16*	*4*	*5*	*20*	*280*

HIA Custodian Type										
Total	*41*	*0*	*4*	*129*	*2*	*0*	*9*	*0*	*2*	*195*

*PIPA Organization Type										
Total	*4*	*0*	*6*	*0*	*0*	*0*	*1*	*0*	*0*	*11*

OIPC STATISTICS: 2003-2004 - APPENDIX B

Appendix B: Cases Closed 2003-2004 Fiscal Year By Public Body, Custodian and Organization Type

Statistics are from the period of April 1, 2003 to March 31, 2004

FOIP Public Body Type	Request for Review	Excuse Fees	Complaint	Privacy Impact Assessments	Advice and Direction	Time Extension	Investigation Generated by Commissioner	Authorization to Disregard Request	Other	Total
Boards	7	0	5	2	1	0	0	1	1	17
Child and Family Service Authorities	0	0	4	2	0	5	0	0	0	11
Colleges	14	1	4	0	0	0	0	0	0	19
Commissions	0	0	2	0	0	0	1	0	0	3
Government Ministries/Departments	65	5	7	25	1	11	3	1	11	129
Independent Agency	2	0	0	0	0	0	0	0	0	2
Law Enforcement Agencies	16	1	4	1	0	0	1	0	0	23
Local Government Bodies	1	2	0	0	0	0	0	0	0	3
Municipalities	27	0	12	0	1	0	0	0	1	41
Regional Health Authorities	4	1	2	0	0	0	0	0	0	7
School Districts	8	0	7	1	0	0	1	0	5	22
Universities	5	0	1	0	1	0	0	0	0	7
Other	3	0	1	1	0	0	0	0	1	6
Total	***149***	***10***	***48***	***31***	***4***	***16***	***6***	***2***	***18***	***290***
HIA Custodian Type										
Alberta Health and Wellness	0	0	2	14	1	0	0	0	1	18
Long Term Care Centres	1	0	0	0	0	0	0	0	0	1
Physicians	13	0	5	62	0	0	3	0	1	84
Provincial Boards	2	0	4	0	1	0	0	0	0	7
Regional Health Authorities	14	0	9	34	1	0	5	0	0	63
Other Custodians	2	0	1	3	0	0	0	0	0	6
Total	***30***	***0***	***20***	***110***	***3***	***0***	***8***	***0***	***2***	***179***
***PIPA Organization Type**										
Healthcare and Social Assistance	0	0	1	0	0	0	0	0	0	1
Total	***0***	***0***	***1***	***0***	***0***	***0***	***0***	***0***	***0***	***1***

*PIPA Statistics are from the time the Act came into force January 1, 2004 to March 31, 2004

OIPC STATISTICS: 2003-2004 : APPENDIX C

Appendix C: Orders and Public Investigation Reports Issued

All Statistics are from the period April 1, 2003 to March 31, 2004

FOIP Public Body	Orders	Public Investigation Reports	Total
*Alberta Energy	1	0	1
Alberta Energy and Utilities Board	1	0	1
Alberta Environment	1	0	1
***Alberta Government Service & Alberta Motor Vehicle Insurance Council (AMVIC)	1	0	1
Alberta Health and Wellness	1	0	1
Alberta Human Resources and Employment	2	0	2
*Alberta Infrastructure	1	0	1
Alberta Justice	1	0	1
Alberta Learning	1	0	1
Alberta Solicitor General	1	0	1
Calgary Regional Health Authority	1	0	1
City of Calgary	1	0	1
City of Calgary - Calgary Fire Department	0	1	1
City of Edmonton	1	0	1
Edmonton Police Service	1	1	2
*Fairview College	1	0	1
Grant MacEwan College	1	0	1
*Law Enforcement Review Board& Calgary Police Service	1	0	1
Livingstone School Division	0	1	1
Mount Royal College	1	0	1
Northern Alberta Institute of Technology (NAIT)	0	1	1
Northern Lights School Division #69	0	1	1
Personnel Administration Office	0	1	1
**St. Micheal's Long Term Care Centre	1	0	1
University of Calgary	2	0	2
HIA Custodian			
Alberta Mental Health Board	1	0	1
**Calgary Regional Health Authority	1	0	1
*Alberta Mental Health Board/Aspen Regional Health Authority	0	1	1
*Capital Health	1	0	1
Associate Medical Clinic, Airdrie	0	1	1
Family Care Medical Centre, Calgary	0	1	1
PIPA Organization			
N/A	0	0	0
Total	***25***	***9***	***34***

**A single Order and/or Report Number was assigned to more than one case*

***A single Order number was assigned to a FOIP case and a HIA case*

****Investigation was conducted on the Commissioner's own motion and the order resulting from that investigation*

FOIP Orders: 22 (total of 27 cases) above
18 orders related to requests for review
2 orders related to complaints
1 order related to a combined request for review and 2 complaints (3 cases)
1 order was of the "other" type - see point ***

HIA Orders: 2 (total of 3 cases)
1 order related to a request for review
1 order related to a complaint

A copy of all Orders and Investigation Reports are available on the Office's web site www.oipc.ab.ca

OIPC STATISTICS: 2003-2004 - APPENDIX B

Appendix B: Cases Closed 2003-2004 Fiscal Year By Public Body, Custodian and Organization Type

Statistics are from the period of April 1, 2003 to March 31, 2004

FOIP Public Body Type	Request for Review	Excuse Fees	Complaint	Privacy Impact Assessments	Advice and Direction	Time Extension	Investigation Generated by Commissioner	Authorization to Disregard Request	Other	Total
Boards	7	0	5	2	1	0	0	1	1	17
Child and Family Service Authorities	0	0	4	2	0	5	0	0	0	11
Colleges	14	1	4	0	0	0	0	0	0	19
Commissions	0	0	2	0	0	0	1	0	0	3
Government Ministries Departments	65	5	7	25	1	11	2	1	11	129
Independent Agency	2	0	0	0	0	0	0	0	0	2
Law Enforcement Agencies	16	1	4	1	0	0	1	0	0	23
Local Government Bodies	1	2	0	0	0	0	0	0	0	3
Municipalities	27	0	7	0	1	0	0	0	1	41
Regional Health Authorities	4	1	2	0	0	0	0	0	0	7
School Districts	8	0	7	1	0	0	1	0	5	22
Universities	5	0	1	0	1	0	0	0	0	7
Other	0	0	1	1	0	0	0	0	1	6
Total	*149*	*10*	*48*	*31*	*4*	*16*	*6*	*2*	*18*	*290*
HIA Custodian Type										
Alberta Health and Wellness	0	0	2	14	1	0	0	0	1	18
Long Term Care Centres	1	0	0	0	0	0	0	0	0	1
Physicians	13	0	5	62	0	0	1	0	1	84
Provincial Boards	2	0	4	0	1	0	0	0	0	7
Regional Health Authorities	14	0	9	34	1	0	5	0	0	63
Other Custodians	2	0	1	1	0	0	0	0	0	4
Total	*30*	*0*	*20*	*110*	*3*	*0*	*8*	*0*	*2*	*179*
***PIPA Organization Type**										
Healthcare and Social Assistance	0	0	1	0	0	0	0	0	0	1
Total	*0*	*0*	*1*	*0*	*0*	*0*	*0*	*0*	*0*	*1*

*PIPA Statistics are from the time the Act came into force January 1, 2004 to March 31, 2004

OIPC STATISTICS: 2003-2004 : APPENDIX C

Appendix C: Orders and Public Investigation Reports Issued

All Statistics are from the period April 1, 2003 to March 31, 2004

FOIP Public Body	Orders	Public Investigation Reports	Total
*Alberta Energy	1	0	1
Alberta Energy and Utilities Board	1	0	1
Alberta Environment	1	0	1
***Alberta Government Service & Alberta Motor Vehicle Insurance Council (AMVIC)	1	0	1
Alberta Health and Wellness	1	0	1
Alberta Human Resources and Employment	2	0	2
*Alberta Infrastructure	1	0	1
Alberta Justice	1	0	1
Alberta Learning	1	0	1
Alberta Solicitor General	1	0	1
Calgary Regional Health Authority	1	0	1
City of Calgary	1	0	1
City of Calgary - Calgary Fire Department	0	1	1
City of Edmonton	1	0	1
Edmonton Police Service	1	1	2
*Fairview College	1	0	1
Grant MacEwan College	1	0	1
*Law Enforcement Review Board& Calgary Police Service	1	0	1
Livingstone School Division	0	1	1
Mount Royal College	1	0	1
Northern Alberta Institute of Technology (NAIT)	0	1	1
Northern Lights School Division #69	0	1	1
Personnel Administration Office	0	1	1
**St. Micheal's Long Term Care Centre	1	0	1
University of Calgary	2	0	2
HIA Custodian			
Alberta Mental Health Board	1	0	1
**Calgary Regional Health Authority	1	0	1
*Alberta Mental Health Board/Aspen Regional Health Authority	0	1	1
*Capital Health	1	0	1
Associate Medical Clinic, Airdrie	0	1	1
Family Care Medical Centre, Calgary	0	1	1
PIPA Organization			
N/A	0	0	0
Total	*25*	*9*	*34*

**A single Order and/or Report Number was assigned to more than one case.*
***A single Order number was assigned to a FOIP case and a HIA case.*
****Investigation was conducted on the Commissioner's own motion and the order resulting from that investigation*

FOIP Orders: 22 (total of 27 cases)
18 orders related to requests for review
2 orders related to complaints
1 order related to a combined request for review and 2 complaints (3 cases)
1 order was of the "other" type - see point ***.

HIA Orders: 2 (total of 3 cases)
1 order related to a request for review
1 order related to a complaint

A copy of all Orders and Investigation Reports are available on the Office's web site www.oipc.ab.ca

OIPC STATISTICS: 2003-2004 - APPENDIX D

Appendix D: Accepted Privacy Impact Assessments by Public Body and Custodian Type: 2003 - 2004

Public Body	PIA Title	Date Accepted
Boards		
Alberta Energy and Utilities Board	Security Screening Directive	27-Oct-03
Workers' Compensation Board	Electronic Reporting and Invoicing System (RapidReport) Project	11-Jul-03
Child and Family Service Authorities (CFSA)		
Calgary Rocky View CFSA	Immigrant Families Project	9-May-03
Region 4 CFSA	Kin Child Care Funding Program Demonstration Project	19-Dec-03
Law Enforcement Agencies		
Edmonton Police Service	Old Strathcona Closed Circuit Television Camera Project	26-Jun-03
Ministry/Department		
Alberta Children's Services	Contract Management Administration System	31-Mar-04
	Child Care Subsidy On-Line Application System	12-Feb-04
	Child Pre-Accreditation Funding Grant Program	8-Sep-03
	Women's Shelter Information System	3-Nov-03
	Social Care Facilities Review Committee (SCFRC) Application Enhancement Project	12-May-03
Alberta Community Development	Consolidated Services System Upgrade Program	22-May-03
Alberta Government Services	Action Request Tracking System (ARTS)	4-Jun-03
	Operator's License Design and Card Production Services Project	3-Mar-04
	SPIN II Project	18-Jun-03
	Alberta Personal Property Registry Electronic System (APPRES)	20-Feb-04
	Facial Recognition Software for Alberta's Operator's License	3-Mar-04
Alberta Health and Wellness	Air Ambulance Facility Video Surveillance	10-Feb-04
Alberta Human Resources and Employment	Client, Program and Service Data Mart, Phase 2 Update Report	22-Sep-03
	Appeals Information Management System (AIMS)	30-Jan-04
	Expenditure Officer System	10-Jul-03
Alberta Learning	Alberta Student Number - DRAFT	22-Sep-03
	Aboriginal Learner Data Collection Initiative (ALDCI)	12-Dec-03
	Interprovincial Computerized Examination Management System	8-Jul-03
Alberta Municipal Affairs	ASSET Database	4-Aug-03
Alberta Revenue	Tax Exempt Fuel System (TEFS)	17-Sep-03
	NHL Players Tax	22-Jul-03
Alberta Seniors	Ministry's Lodge Assistance Program	6-Oct-03
Alberta Solicitor General	Victims Assistance Tracking System (VAST)	17-Jul-03
Alberta Transportation	Alberta Assigned Vehicle Identification Number Program	11-Mar-04
Personnel Administration Office	Supplementary Code to the Code of Conduct and Ethics	17-Nov-03
School Districts		
Northern Lights School Division #69	Student Information Record System	30-Sep-03
Other		
Office of the Chief Electoral Officer	Data Collection From Motor Vehicle Registry	25-Nov-03

OIPC STATISTICS: 2003-2004 : APPENDIX D CONTINUED

Custodian	PIA Title	Date Accepted
Regional Health Authorities (RHA)		
Calgary Health Region	Calgary Health Link	11-Sep-03
	Child and Adolescent Mental Health and Psychiatry Program. Regional Intake System	25-Aug-03
	Enterprise Master Person Index (EMPI)	6-Jan-04
	Geriatric Mental Health Information System	10-Jun-03
	Mental Health Information and Options Service call Centre Database	11-Jun-03
	Mentoring Program - Web Based Management Tool	29-Aug-03
	Regional Emergency Department Information System (REDIS)	29-Aug-03
Capital Health Authority	Capital Health Authority's Fetal Alcohol Spectrum Disorder Clinic Database	9-Mar-04
	Community Care Coordination Demonstration (Supplemental Submission on the Continuing Care and Accountability Initiative)	17-Jun-03
	Community Care Local Database (CCLD)	18-Nov-03
	Delivery of Laboratory Results to Physician Office Systems	24-Jun-03
	Enterprise Master Person Index (EMPI)	19-Jan-04
	Laboratory Test Results History	22-Oct-03
	RISE Patient Registration System	25-Apr-03
	Telehealth	26-May-03
Chinook Regional Health Authority	Public Health Information System Immunization/Adverse Reaction to Immunization Application	9-Oct-03
Headwaters Health Authority	Telehealth Clinical	1-Apr-03
David Thompson Health Region	Dictation System	27-Feb-04
Palliser Health Region	New Information Systems Project	9-Oct-03
	PHR Electronic Distribution of Lab Results	28-Nov-03
	PHR Electronic Distribution of Diagnostic Imaging Results	28-Nov-04
Subsidiary Health Corporation		
Caritas Health Group	Organizational Privacy Management (Part A) PIA. supplementary to Capital Health's Enterprise Master Patient Index	26-Feb-04
Physicians		
Abolann Medical Clinic	Physician Office System Program	12-May-03
Acadia Surgical Group	Physician Office System Program	10-Feb-04
Allin Clinic	Physician Office System Program	9-Jun-03
Anne Fong Prof Corporation (Fong Medical Clinc	Physician Office System Program	6-Feb-04
Associate Clinic	Physician Office System Program	6-Aug-03
Associate Medical Clinic	Physician Office System Program	4-Feb-04
Beaumont Family Medical Associates	Physician Office System Program	22-Jan-04
Bhargava Medical Clinic	Physician Office System Program	5-Nov-03
Bowmont Medical Clinic	Physician Office System Program	13-May-03
Dr. Ernest J. Hodges Medical Clinic	Physician Office System Program	12-Jan-04
Dr. H. G Bowden and Dr. J.E. Lakins	Physician Office System Program	10-Feb-04
Dr. Hari S. Chana Professional Corporation	Physician Office System Program	1-Mar-04
Dr. Kan C. Lee	Physician Office System Program	30-Jan-04

OIPC STATISTICS: 2003-2004 : APPENDIX D CONTINUED

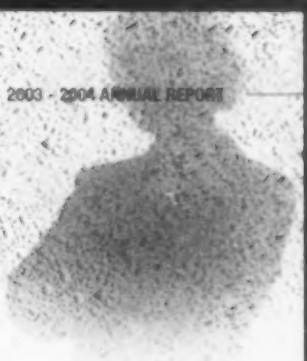
Custodian	PIA Title	Date Accepted
Dr. Lidkea and Associates	Physician Office System Program	1-Mar-04
Dr. M. Harilal's Clinic	Physician Office System Program	8-Mar-04
Dr. M.C. Edwards and Dr. R. Johnson	Physician Office System Program	3-Dec-03
Dr. M. S. Sabir	Physician Office System Program	25-Feb-04
Dr. Michal Broniewski	Physician Office System Program	5-Feb-04
Dr. Sheila Scott Family Practice	Physician Office System Program	8-Mar-04
Dr. Susan F. Poon	Physician Office System Program	11-Mar-04
Edmonton Cardiology Consultants Inc.	Physician Office System Program	4-Nov-03
Family Care Medical Centre	Physician Office System Program	27-May-03
Family Medicine Associates	Physician Office System Program	12-Jan-04
Foothills Family Medical Centre	Physician Office System Program	7-Oct-03
Grandview Heights Medical Clinic	Physician Office System Program	19-Dec-03
Griffiths Medical Clinic	Physician Office System Program	9-Mar-04
Guy J. Lavoie Professional Corporation	Physician Office System Program	26-Feb-04
Harvest Hills Medical Clinic	Physician Office System Program	2-Jul-03
Heinrichs Medical Clinic	Physician Office System Program	12-Jan-04
John Beveridge Professional Corp	Physician Office System Program	3-Sep-03
Kaleidoscope Pediatric Consultants	Physician Office System Program	30-Oct-03
Kensington Clinic	Physician Office System Program	4-Nov-03
L.A. Medical Clinic	Physician Office System Program	26-Sep-03
Lee, Wirzba & MacDonald Medical Practice	Physician Office System Program	22-Sep-03
The Malone Medical Clinic Associates	Physician Office System Program	30-Jan-04
Meadowlark Family Practice Clinic	Physician Office System Program	17-Feb-04
Medical Associate Clinic Ponoka	Physician Office System Program	27-Oct-03
Northern Hills Medical Clinic	Physician Office System Program	16-Jul-03
Northern Hills Medical Clinic	Physician Office System Program	26-Sep-03
Oak Bay Medical Centre	Physician Office System Program	23-Jul-03
Office of Jeff S. Pivnick, MD	Physician Office System Program	3-Sep-03
Office of Dr. JA Hunt and Dr. MJ Bladek	Physician Office System Program	12-May-03
Park Medical Clinic	Physician Office System Program	3-Jul-03
Parkland Medical Clinic	Physician Office System Program	6-Feb-04
Prairie Medical Centre	Physician Office System Program	16-Oct-03
Ralston Family Medical Clinic	Physician Office System Program	8-Oct-03
Redwater Family Medical Clinic	Physician Office System Program	11-Mar-04
Royal Alexandra Hospital Family Medical Centre	Physician Office System Program	3-Sep-03
Schuster, Stopainig & Robinson Medical Clinic	Physician Office System Program	6-Jan-04
Slave Lake Family Clinic	Physician Office System Program	24-Oct-03
Summit Centre Family Clinic	Physician Office System Program	22-Mar-04
Tris P. Trethart, M.D. Pro. Corporation	Physician Office System Program	11-Mar-04

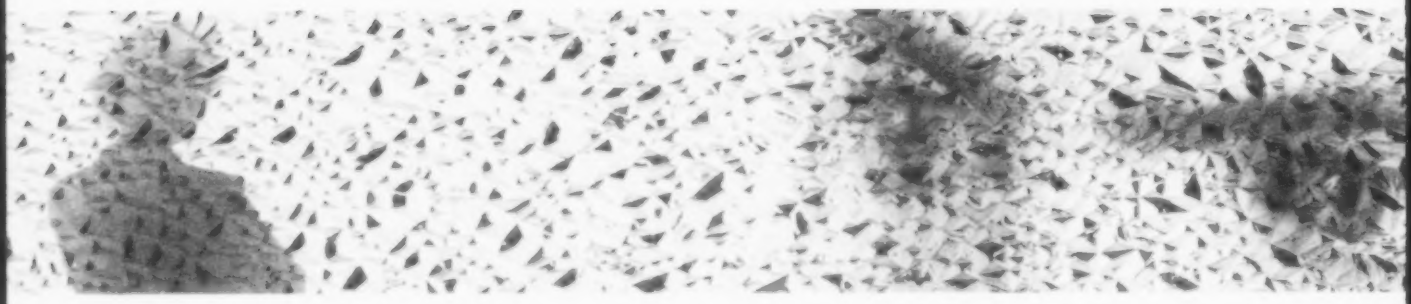
OIPC STATISTICS: 2003-2004 : APPENDIX D CONTINUED

Custodian	PIA Title	Date Accepted
University of Calgary - Department of Surgery	Physician Office System Program	10-Oct-03
University of Calgary - Sports Medicine Centre	Physician Office System Program	21-Aug-03
Department of Pediatrics, University of Alberta	Physician Office System Program	1-Mar-04
Watson and Grewal Clinic	Physician Office System Program	16-Sep-03
Westgrove Clinic	Physician Office System Program	28-Oct-03
Wetaskiwin Family Medical Practice	Physician Office System Program	16-Dec-03
Provincial Boards		
Alberta Cancer Board	Alberta Cancer Board Electronic Medical Record (EMR) Integrated Cancer Care Network (ICCN)	20-Aug-03
	Alberta Cervical Cancer Screening Program (ACCSP) Alberta Colposcopy Database	23-Sep-03
	Cervical Cancer Screening (CCS)	23-Sep-03
	Children's Outpatient Cancer Program Transfer	9-Sep-03
	Electronic Transfer of Digital Images between the ACB/Tom Baker Cancer Centre and the Calgary Health Region	30-Apr-03
	Telehealth	9-Oct-03
Ministry/Department		
Alberta Health and Wellness	Adverse Reaction to Blood	13-Aug-03
	Alberta Monitoring For Health (AMFH) Claims Adjudication Application	3-Mar-03
	Alberta Provider Directory (Phase 1)	31-Mar-04
	Alberta Waitlist Registry	31-Mar-04
	Canadian Agricultural Injury Surveillance Project (CAISP)	10-Apr-03
	Cervical Cancer Screening (CCS	23-Sep-03
	Laboratory Test Results History PIA submitted in conjunction with Capital Health Authority	22-Oct-03
	Organizational Privacy Policies	3-Sep-03
	Physician Notice of Birth Form	2-Feb-04
	Notifiable Disease Report Form	4-Sep-03
	Premium Subsidy Income Verification	15-Aug-03
	Relating Income and Health Services	5-May-03
	STD File Extract	3-Mar-04
	System Enhancements and Online Services for Alternate Payment Plans	17-Jun-03
Other		
Calgary Laboratory Services	Calgary Laboratory Services Organizational Privacy Policies	6-May-03
	Electronic Laboratory Results Reporting Pilot Project (program in conjunction with the Calgary Health Region)	26-May-03

***Note**: Privacy Impact Assessments are mandatory under the Health Information Act (HIA), they are not required under the Freedom of Information and Protection of Privacy Act (FOIP Act) and the Personal Information Protection Act (PIPA).*

For additional information regarding the above listed PIAs, please refer to the OIPC webpage at www.oipc.ab.ca





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